BROADCASTING
and
Broadcast Advertising

Vol. 20, No. 21 WASHINGTON, D. C., JUNE 2, 1941 $5.00 A YEAR—15c A COPY

No Immediate Change Seen From Crisis

But Long-Range Effect of Emergency Causes Concern; Program Priorities for Military Branches Seen

By SOL TAISHOFF

DECLARATION by President Roosevelt last week of an "unlimited national emergency" should cause no alarm to the broadcasting industry, since there is little likelihood of any immediate effect upon the status quo of broadcasting.

That was the consensus of both official and industry observers in Washington, after they had analyzed the President's history-making address of last Tuesday. And the President himself, at his press conference the following day, said he had no knowledge of any contemplated changes in broadcasting due to the war situation.

Industry spokesmen, however, did not conceal their concern over the long-range effect, in the light of imminent war. They regarded the new outlook, coupled with FCC monopoly onslaught, as intensifying an already seriously disturbed situation.

The Same Power

At first blush some broadcasters felt that the proclaiming of the "unlimited national emergency" would immediately open the way for invoking provisions of Section 606 (c) of the Communications Act, which gives the President broad discretionary powers. Under it, he may shut down or take over any and all stations, suspend or amend existing rules and regulations and, in fact, perform any act which in his judgment will conduce to the best interests of the Nation.

Actually, however, the President has held such powers since Sept. 8, 1939, when at the outbreak of the war, he declared a "limited national emergency". The law does not distinguish between a "limited" or "unlimited" emergency. Moreover, the President has made it abundantly clear he does not intend to invoke his summary powers without specific orders covering the specific field or operation.

With hearings on the White Resolution to frustrate the FCC's monopoly regulation (slated to become effective Aug. 3), scheduled to open June 2 before the Senate Interstate Commerce Committee, there was some thought that the declaration of the unlimited emergency might result in a compromise. In some quarters, it was felt both the FCC and Congress would be inclined to favor some relaxation of the rules due to the war conditions. This, however, was founded only on speculation.

Program Priorities

From the outset of hostilities abroad two years ago, it has been repeatedly emphasized there is no disposition on the part of the Government to molest broadcasting. Emphasis has been placed upon the contribution of radio in informing and maintaining the nation's morale. There is still no intent by Government officials to interfere with normal operations of commercial broadcast stations, though the impact of war developments may result in adjustments from time to time.

Possibility of establishment of program priorities for the military branches is foreseen. As a matter of fact, this very problem was discussed by the NAB Executive Committee at a meeting in Washington last Wednesday night, and NAB President Neville Miller announced his intention of appointing a National Defense Committee to explore this field. The committee at the same time discussed plans for presentation of the industry's preliminary case to the Senate Interstate Commerce Committee, beginning June 2.

While no immediate concern is felt over standard broadcast operations, the same attitude did not prevail in connection with international broadcast operations. For some months, dissatisfaction has been expressed in high official quarters over the service rendered by the international broadcast stations in this country, and it was thought that if any Federal intervention occurs in radio, it will be felt first in the international field.

Meanwhile, the Defense Communications Board, set up last year to coordinate all communications in war time, has been holding regular meetings to perfect its blueprints. Subcommittees, including one headed by NAB President Miller for domestic broadcasting, likewise have been preparing extensive data for the main Board, of which FCC Chairman James Lawrence Fly is head. If proclamations pertaining to any phase of communications are issued, they will be prepared by the DCB. A number of draft proclamations already are understood to have been completed with the further development to govern ultimate action.

The FCC May 27 announced adoption of a new rule (Section 292 of the general Rules and Regulations) under the heading "National Defense—Emergency Authorizations". The rule reads:

"The Federal Communications Commission may authorize the licensee of any radio station during a period of national emergency to operate its facilities upon such frequencies, with such power and points of communication, and in such a manner beyond that specified in the station license as may be requested by the Army or Navy."

This was viewed as having a bearing on the Presidential proclamation declaring an unlimited emergency. In effect it means that stations, whatever their classification, can be shifted as to frequency, hours of operation, and power in conformity with the wishes of the armed forces. The rule, it was explained at the FCC, was designed to insure adequate communication facilities for the military services during the emergency.

Super-Power Possible

It was pointed out that it is possible the powers of some stations may be reduced and others increased, if the armed forces desire. In the past there has been some talk of restoration of "super power" of 500,000 watts for stations strategically located to be used as homing devices by aircraft or for greater audience coverage. There is no indication, however, of any present intention of such a move.

Similarly, there has been talk of

(*Continued on page 46*)

Hearing on Newspaper Order Is Set by the FCC for June 25

THE FCC, at a meeting last Wednesday, ordered the newspaper divorcement hearings for June 25, pursuant to its order (No. 79) adopted March 19 by a three-to-two vote.

The precise issues to be met, beyond the generalized observations contained in the order, have not yet been released by the FCC, but probably will be shortly. Under FCC procedure, at least 30 days' notice will be given.

In some quarters, it was thought that the inquiry would not occur on June 25 and that there probably would be a postponement until fall. This may come upon petition of the newspaper-radio committee headed by Harold V. Hough, WBAP-KGKO, Dallas-Fort Worth, which presumably will want more time to prepare. Such a postponement, it is felt, would be granted quickly.

The hearing would be before the FCC en banc, rather than a committee or a trial examiner. The order adopted by the Commission called for an immediate investigation "to determine what statement of policy or rules, if any, should be issued" concerning applications for both FM and standard broadcast stations in which newspapers directly or indirectly are involved, as well as policy or rules to cover future acquisition of standard broadcast stations by newspapers.

While a number of newspaper applications for FM stations have been granted and several important increases in facilities have been awarded other standard broadcast stations, the FCC, since adoption of the order, has placed in the pending file all other applications involving newspaper licensees.

CBS Leaving Talent Activity, Planning Sale of Subsidiaries

Present Managers Would Acquire Concert Branch; MCA Would Buy Popular Artists Service

WITHDRAWING from the field of talent management, CBS, at its board meeting May 28, took steps to dispose of its talent subsidiaries, the Columbia Artists Bureau Inc., and the Columbia Concerts Corp. The Artists Bureau will be sold to Music Corp. of America for a reported $250,000 while the controlling stock in the concert agency will be purchased by its present management, headed by Arthur Judson.

Under the terms of the sale of the Artists Bureau, Herbert Rosenthal, executive vice-president, the executives and most of the personnel will continue to function in their present capacities under the new arrangement. The sale brings under the management of MCA one of the largest arrays of radio talent in the field, including announcers, commentators, singers and lecturers.

NBC Also May Sell

Details still to be ironed out are guarantees presented to CBS by AFRA to the effect that all contractual rights accorded to the artists under CBS management will continue under the transfer, and that the artists will have the opportunity to pass on the transfer of the contracts. Negotiations on these points were still under way between CBS and AFRA as BROADCASTING went to press.

The eventual sale of the talent subsidiaries had been expected, but there is no doubt that the FCC monopoly report speeded the action. It is understood a similar action is under consideration by NBC to dispose of its talent subsidiary, the NBC Artists Service.

In a statement issued by CBS, it was said that "some criticism has been expressed that Columbia, in buying from and selling to itself, in some instances might not be acting wholly in the interests of the artist. Although Columbia is certain that there never has been an instance in which such a criticism was justified, it nonetheless recognizes that those not familiar with all the circumstances of network broadcasting might be led to believe otherwise."

The full text of the CBS statement follows: "Columbia Broadcasting System announces its impending withdrawal from the field of talent management. Contracts are being drawn for the sale of Columbia Artists Inc. to the Music Corp. of America, and negotiations are under way for the disposition of Columbia's stock interest in the Columbia Concerts Corp. to the managers who, at the present time own the balance of stock. Columbia Artists has managed popular talent and the Concerts Corp. talent in the classifical field. Both sales are subject to ratification by CBS stockholders.

"The two management corporations were originally formed in the early days of network broadcasting to assure CBS an adequate supply of talent. Columbia finds that its management of artists is no longer necessary for that purpose because artists of all kinds are now readily available to it and all other broadcasters. Some criticism has been expressed that Columbia, in buying from and selling to itself, in some instances might not be acting wholly in the interests of the artists.

"Although Columbia is certain there never has been an instance in which such a criticism was justified, it nonetheless recognizes that those not familiar with all the circumstances of network broadcasting might be led to believe otherwise.

"It is understood that the present executives of Columbia Artists Inc., of which Herbert Rosenthal is executive vice-president, will continue their functions under the new ownership. Those negotiating for complete ownership of Columbia Concerts Corp. are the present active managers, under the leadership of Arthur Judson. Columbia feels confident that the artists represented by the two management groups will continue to receive continuous and efficient service and attention to their interests as they were received from the same personnel under Columbia ownership."

Iodine Campaign

IODINE EDUCATIONAL BUREAU Inc., New York (animal feeding), has appointed Simonds & Simonds, Chicago, to handle a special advertising campaign to start July 1. Radio will be used. Lee Hammett is account executive.

Newscaster in Army

JIMMY STEVENSON, newscaster of WJR, Detroit, was summoned for Army duty late in May and will report June 2 for a four-week period of training at general headquarters of the Sixth Corps Area in Chicago. Stevenson has a major's commission in the judge-advocate department. Prior to his entry in radio Stevenson was a graduate of law in 1922 and was at one time assistant prosecutor at Detroit. During his absence, Ted Grace will fill in on the news program.

ASCAP Is Silent On Court Decision

Negotiations With NBC for New Contract Continuing

Other ASCAP news, pages 8, 12, 15, 40.

ALTHOUGH the ASCAP board of directors met in all-day sessions both May 27 and 28, following the decision of the Supreme Court upholding the validity of the Florida and Nebraska anti-ASCAP laws, the Society had made no official statement on the decision as BROADCASTING went to press.

John Paine, ASCAP general manager, stated that "while the society is naturally disappointed at the outcome of the litigation, we feel that the result will prove much harder on the commercial users of music in those states than on the society." He pointed out that the Florida law, for instance, prohibits any combination of copyright owners from making a deal with commercial users of music, and that it will be necessary for such users to go to the individual owners, involving much red tape and trouble.

The Supreme Court decision has not affected ASCAP's negotiations with NBC, according to the network, which stated that the discussions on the return of ASCAP music to NBC were continuing amicably. At CBS, however, it was stated that the meetings with ASCAP are temporarily halted until the implications of the decision are fully studied by the CBS legal department. "If the licensing methods are changed by this decision," CBS said, "We want to know more about it before continuing discussions with ASCAP."

Both BMI and SESAC reported they did not think the decision would seriously affect their operations in the States of Florida and Nebraska, but neither organization made official statements on the matter pending further study of the text of the whole decision. A spokesman at BMI stated that the "clerical problems involved" would probably be very troublesome, but that he thought BMI was so constructed that it could adjust itself to the restrictions in the statutes. BMI plans to notify its affiliated publishers and stations as soon as possible that such "adjustments" can be made because it was "organized originally to avoid such monopolistic tendencies as price fixing."

SESAC also reported that the decision would not affect their operations in those States because operations had been cleared previously and SESAC had done business in both Florida and Nebraska for the past five years with contracts which complied in the majority of cases with those of states statutes.

C-P-C Promotes Klek

COLGATE - PALMOLIVE - PEET Co., Jersey City, on June 30 will start advertising Klek instead of Palmolive soap on *Bess Johnson* heard daily on NBC-Red at 10-10:15 a.m., and CBS at 4:30-4:45 p.m. Company started *Elmer Davis & the News* on June 1 in the interest of Palmolive soap on 90 CBS stations, seven days a week at 8:55-9 p.m. Agency for Klek is Ted Bates Inc., New York, and for Palmolive soap, Ward Wheelock Co., Philadelphia.

Farewell to Toscanini

MEMBERS of the NBC Symphony Orchestra on May 23 gave a farewell reception to Arturo Toscanini at the Essex House, New York, on the eve of his departure for Buenos Aires to conduct the Colon Orchestra in a series of six concerts.

REPRESENTATIVES of the Westinghouse Radio Stations Inc. and General Electric were entertained at luncheon late in May by the NBC Chicago Spot Sales force, which represents their stations. Standing (l to r) Jim McEdwards, Rudi Neubauer, Floyd Van Etten, Ed Stockmar, Ray Neihengen and Gil Berry, all of NBC. Seated (l to r) W. C. Swartley, general manager of stations WBZ-WBZA, Boston-Springfield; Phil Steitz, NBC Chicago; James B. Rock, general manager of KDKA, Pittsburgh; W. E. Jackson, general sales manager of the Westinghouse Radio Stations Inc.; Oliver Morton, special sales representative of Westinghouse Stations, Chicago; Kolin Hager, manager of WGY, General Electric Co. station in Schenectady, and M. M. Boyd, who serves as local sales manager of NBC Chicago.

Service to Democracy Theme of AFA

Blackett Suggests Use Of Quiz Programs For Education

By BRUCE ROBERTSON

CITING Advertising as a "vital instrument in a free economy, keeping open the flow of products and ideas", Paul Garrett, vice-president and director of public relations, General Motors Corp., and chairman of the board of the Advertising Federation of America, sounded the keynote of the 37th annual AFA convention, held at the Hotel Statler, Boston, May 25-29 with the theme, "Advertising—Its Service to Democracy Today".

In his address at the Monday luncheon, which was the opening general session of the gathering, he showed how "freedom of choice in the market place induces that competition which is a source of progress and a protection of the customer's pocketbook" and continued:

"Unparalleled freedom of choice in the market place is what our freedom of the right to advertise inescapably supports . . . freedom of choice in the market place is of itself a symbol of those other freedoms of choice which are the essence of our democracy. Did you ever stop to consider how one of these great freedoms grows in a sense from freedom to advertise? I mean freedom of the press and, if you please, freedom of the radio. It is their independence, economic as well as political—which keeps the press and the air free."

Quiz and Defense

In the town meeting discussion of the convention theme which followed Mr. Garrett's address, Hill Blackett, vice-president of Blackett-Sample-Hummert, suggested that the popularity of quiz shows might easily be turned to good advantage in our emergency problems. Stating that advertising can render a dual service in preparing the people of our country mentally and physically for what is to come, he declared:

"First, it is plainly apparent that the nation as a whole is not at all prepared for the tax burden that lies ahead of us. People are vaguely aware of it, but they seem to feel that somehow or other someone else will pay the bill.

"Now as you all know, the quiz radio programs are very popular in this country today. They set millions of people to thinking, so instead of asking questions such as 'How many eggs do the hens of the U. S. lay per annum'? they could very well start the public mind thinking about the burden that lies ahead of us by asking such questions as 'How much income tax will a man with $2,500 income probably have to pay in 1942?', 'When you buy a package of cigarettes, how much do you pay for the cigarettes and how much for taxes?', or 'How many different taxes are there on a pair of working man's overalls?'

"Though on an entirely different subject, they might ask 'How many man hours of work does it take to build a flying fortress as compared to an automobile?' That would give the public some idea of what it will mean to build 2,000 bombing and fighting planes a month. You will agree with me that a well-informed public is America's greatest security."

On the physical side, Mr. Blackett quoted draft board reports that a major part of the deficiencies which cause men to be rejected could have been or can be corrected. He suggested that advertisers of health products—foods, corrective drugs, optical goods, toothpastes, etc., even including insurance companies, might join with the American Medical Assn. in a nationwide physical fitness compaign.

Ahead of Congress

Participating with Mr. Blackett in the 45-minute session, devoted chiefly to answering questions from the floor, were Carle Conway, chairman of the board, Continental Can Co.; Dr. George Gallup, vice-president, Young & Rubicam, as well as director of the American Institute of Public Opinion, and Harford Powel, director of information, Defense Savings Staff, Treasury Department. George V. Denny Jr., moderator of *Town Meeting of the Air*, took his regular role at this advertising meeting.

Dr. Gallup said his six years' experience in polling the public has convinced him both of the power of public opinion and of its general soundness, provided the public is given all the facts. Much of the hostility to advertising as an institution, he said, is due to the failure of advertising to inform the public about itself and its important role in our economic life.

Asked whether polls did not sometimes influence public opinion as well as measure it, he replied that all checks indicated not. He added, however, that public opinion on foreign affairs, taxes, labor, etc., as indicated by the polls, is somewhat in advance of that of Congress, which is apparently influenced by public opinion to the extent of practicing "followship rather than leadership".

Mr. Powel praised the patriotic contribution of advertisers and advertising media to the campaign for defense bonds and stamps, which he said are selling at the rate of $100,000,000 weekly. In Boston, he said, the broadcasters had donated commercials worth $8,000. The banks had spent $7,500 in advertising and the newspapers had contributed stories and editorials whose value could not easily be estimated, resulting in sales of $30,000,000 worth of bonds in the city since the first of May, he said.

Answering a question as to the effect of rising costs on advertising, Mr. Blackett said that as costs rise, so does the national income; that rising prices and wages will cause increased purchasing and so stimulate advertising. Asked further whether continued advertising of consumer goods might not bring on inflation, he replied that private business must continue in full force if it is to be able to pay the bill for the defense program.

Award Presented

During this opening session, Elon G. Borton, advertising director, LaSalle Extension University, and AFA president, who presided, presented the Josephine Snapp Award for 1940 to Beatrice Adams, copywriter of Gardner Adv. Co., St. Louis. The trophy, a silver vase, is given each year by the Women's Advertising Club of Chicago to the woman making the most outstanding contribution to advertising during the preceding year.

Four other women received cer-

(*Continued on page 44*)

ACCLAIMED as advertising's "woman of the year" at the national convention of the Advertising Federation of America at Boston May 26, Beatrice Adams, of the copy department of Gardner Adv. Co., St. Louis, received the Josephine Snapp silver trophy of the Chicago Woman's Advertising Club, for her newspaper, magazine and radio copy for three Gardner-advertised products, Ry-Krisp, product of the Ralston Purina Co.; Irradiated Pet Milk; and Stokely fruits and vegetables.

Problems of Radio Advertising Probed at NAB-AFA Meeting

Rubicam Sounds Optimistic Note for the Future; Neff Urges Raising of Listening Level

PRACTICAL problems facing radio advertisers and the medium itself were taken up last Wednesday at a session of the Advertising Federation of America convention held under auspices of the NAB Department of Broadcast Advertising. Robert S. Peare, publicity director of General Electric Co. and manager of broadcasting of WGY, Schenectady, presided at the session, with some 50 persons attending.

Russell P. Place, NAB counsel, analyzed the effect of the recently promulgated FCC regulations of network broadcasting on both the broadcaster and the user of advertising by radio.

Describing the regulations as a "bomb-shell" bursting upon broadcasters and public alike, although the public is "not yet fully aware of its impact," Mr. Place said that while everyone in radio knew that the FCC report on chain broadcasting was coming, "they did not know that it was to be accompanied by regulations to implement the report, to take effect within 90 days, without hearing or argument or even informal discussion. The promulgation of the regulations is what rocked the broadcasting industry. The only balm was a vigorous dissent by two of the commissioners."

He reviewed the growth of radio, with "competition for the advertiser's dollar and the attention of the listening public. Competition among advertising agencies, among stations, among networks for accounts; among networks for affiliated stations, and among programs for listener attention," which he said, has resulted in providing the public with "the best programs of all kinds that the world has ever known."

The new regulations, he declared, "are supposed to inject competition into the field of network broadcasting, but they operate on every single station in the country and, if enforced, would in the opinion of an overwhelming majority of the industry, completely wreck the American System of Broadcasting as we have known it."

Walter J. Neff, president of Neff-Rogow Inc., New York, opened the meeting with a talk on "increasing the tune-in." Pointing out that the listening audience is in a state of flux, increasing or falling off from period to period, he said that it is the responsibility of the radio stations to raise the listening level generally and cited three specific ways in which this can be done.

First, he stated, stations in a city should get together on programming, so that a varied fare is offered the public at all times, giving each listener a chance to find at least one program to his liking at every hour throughout the day. Second, there should be more inter-

(*Continued on page 44*)

XUM

'Any Person' May File Petition Now for Changes in FCC Rules

Only 'Applicants' Could File Under Former Plan; Aimed at WHDH Case but May Affect Net Rules

WHAT MAY halt immediate legal attack upon its monopoly regulations developed May 27 when the FCC adopted amendments to its rules of practice and procedure to permit "any person" to petition it for amendment of any rule or regulation. Heretofore the rules have provided that only "an applicant" may petition in such fashion.

While it is understood the changes were adopted because of the situation encountered in the clear-channel breakdown case involving grant of fulltime to WHDH, Boston, on the 850 kc. channel occupied by KOA, Denver, it nevertheless was felt by Washington attorneys that the changes would have an effect upon the monopoly regulations procedure.

Network Position

In the WHDH-KOA case, both NBC and the Clear Channel Group were denied the right to intervene in the original proceedings, on the ground they were not applicants as described in the rules now amended.

Networks, as such, are not licensees or applicants and heretofore have been precluded from filing petitions as network entities. It is therefore assumed that amendment of the rules may open way for the networks to petition for hearing.

In some quarters, it was thought the new procedure establishes an administrative remedy for the networks which could result in further delay in procuring a court test of the validity of the regulations. As far as known, however, this phase was not considered by the Commission in amending the rules, its attention being directed primarily to the situation encountered in the WHDH case.

It is a recognized principle of jurisprudence, according to attorneys, that administrative remedies must be exhausted before court jurisdiction can be procured in ordinary cases. The revised regulations and the accompanying announcement do not provide that the FCC will set a hearing in advance of the effective date of any new regulations. The monopoly regulations become effective Aug. 3.

Attorneys for the major networks are known to be preparing bills to be filed in the Federal courts. However, this procedure presumably will not be undertaken unless it becomes desirable after Senate Interstate Commerce Committee consideration of the White Resolution beginning June 2, which, under its own terms, would provide for a postponement of the effective date of the far-reaching rules.

Simultaneously the FCC formally announced [BROADCASTING, May 26] that pursuant to its new chain regulations it has adopted a supplemental form (FCC Form No. 335) in which all applicants for broadcast facilities must attest to network affiliation, if any. Licensees are required by Section 43.1 of the rules and regulations to keep the Commission informed of contracts and arrangements, including changes, covering chain affiliations, the release stated.

The Commission added that "to fulfill the assurance given in the Commission report on chain broadcasting," the rules of practice and procedure have been amended "to provide a hearing in cases where the applicant desires to enter into or retain a contract not in conformity with the chain broadcasting rules."

The new form inquires of the applicant whether he has any "contract arrangement or understanding, express or implied, with a network organization for the broadcasting of chain programs."

Then the applicant is asked, in the event the application supplemented by the new form is granted, whether he proposes to broadcast network programs. If the station changes its proposal with respect to broadcasting network programs or enters into any arrangement or any change in arrangement with a network, the form specifies, a new supplemental form must be filed as an additional supplement to the application.

The final question reads: "If network programs are to be broadcast, state arrangements under which they are to be obtained and attach copies of any contractual arrangement which may have been made. If the arrangement is based on an oral understanding, a written statement of the arrangement should be submitted."

On advice of counsel, it is known that many network affiliates already have served notice on their networks that they must supply the FCC with information on revision of affiliation contracts, pursuant to the new monopoly regulations. Renewals must be filed by many stations 60 days in advance, or early in June.

Text of New Rules

The amended rules and regulations, broadening the scope of the former rules on petitions for amendment to allow entities who are neither applicants nor licensees to file petitions, follow:

The Commission en banc today amended its Rules of Practice and Procedure by striking the third proviso of Section 1.71 thereof, reading as follows:

"Provided, further, that in cases where an applicant desires a modification of a rule or regulation, he shall submit a formal petition setting forth the desired change and the reasons in support thereof."

The Rules of Practice and Procedure are amended by adding the following new provision:

"Amendment of rules:

"Sec. 1.81—*Requests for amendment of rules.* Any person may petition for amendment of any rule or regulation. Such petition shall show the desired change in the rules and regulations and set forth the reasons in support thereof.

"Paragraph (b) of Section 1.72 of the Rules of Practice and Procedure is hereby repealed, and the following provisions adopted in lieu thereof:

"(b) If an applicant is requested by the Commission to file any documents or information not included in the prescribed application form, a failure to comply with such request will constitute a defect in the application.

"(c) Applications which are not in accordance with the Commission's rules, regulations or other requirements will be considered defective unless accompanied either (1) by a petition in accordance with Section 1.81 to amend any rule or regulation with which the application is in conflict, or (2) by a request of the applicant for waiver of, or an exception to, any rule, regulation or requirement with which the application is in conflict. Such request shall show the nature of the waiver or exception desired and set forth the reasons in support thereof.

"(d) Defective applications will not be considered by the Commission."

NO RECORD of the late-lamented radio rodeo in St. Louis can be complete without a picture of these tired yodelers from Tulsa, who sang on the slightest provocation, or no provocation at all. Tagged the KVOO Quartette, they warbled the famous daylight time song (BROADCASTING, May 5) composed by Willard D. Egolf, commercial manager of KVOO.

Yeast Campaign

NORTHWESTERN YEAST Co., Chicago (Maca yeast), on June 30 starts a 13-week summer campaign of thrice-weekly quarter-hour transcribed musical programs on 30 stations and daily one-minute announcements on two stations. Programs are titled *Songs of a Dreamer* and feature Gene Baker, vocalist, and Larry Larson, organist. Stations selected for the programs are WTAD WLW WCCO WFAA WSYR WMBD WDAF KFAB WNAX KLZ WKY KQW WIBA KWTO KRBC KFDA KNOW KBST WRR KRRV KFJZ KFYO KRLH KPLT KGKL KABC KTEM KCMC WACO KVWC. KMA and WDZ will carry the announcements. Agency is Hays MacFarland & Co., Chicago.

FCC Funds Asked For Foreign Check

President Proposes $674,414 For Monitoring Activities

TO CARRY ON operation of the newly-organized Foreign Broadcast Monitoring Service during fiscal year 1942, President Roosevelt last Monday transmitted to the House a supplemental appropriation estimate for the FCC of $674,414.

The appropriation, which would be in addition to the $4,259,729 already provided for 1942 activities of the FCC, has been referred to the House Appropriations Committee. Speedy action is expected, although hearings had not been scheduled as BROADCASTING went to press.

The foreign service, whose function is to monitor, record and translate propaganda broadcasts originating in foreign countries and reaching the United States, began operating about April 1 after President Roosevelt in February had granted the FCC $150,000 from Presidential emergency funds to start the project.

Personnel Problem

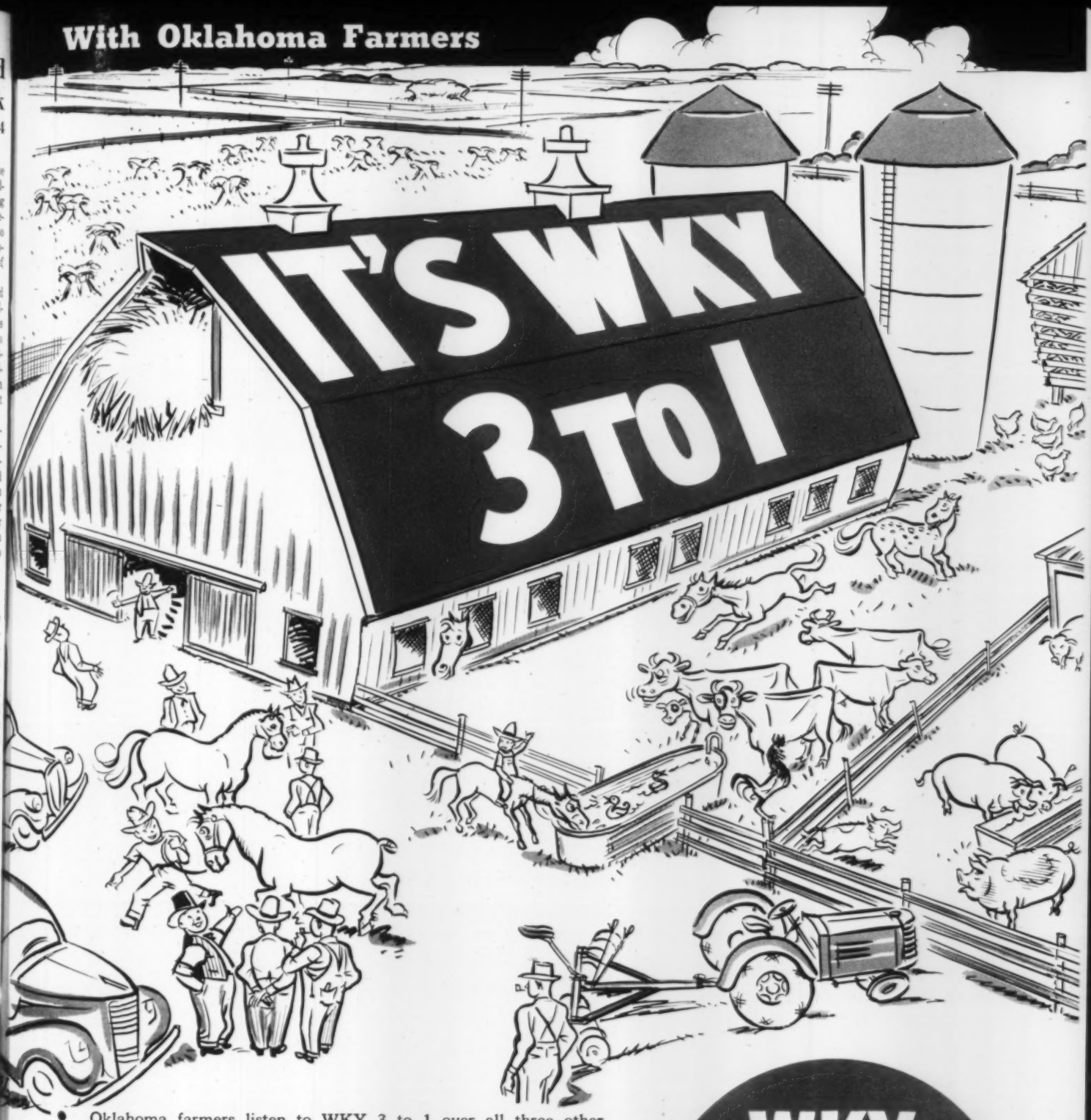
In addition to the $150,000, the President authorized use of $100,000 of the previous grant of $1,600,000 from emergency funds made available to the FCC for national defense activities. The $250,000 was estimated to be sufficient to operate the Foreign Broadcast Monitoring Service during the last three months of fiscal year 1941 ending this June 30.

Meantime FCC officials for several weeks have been considering various persons to head the new anti-propaganda service. No decision has been reached, but an appointment in the near future is considered likely.

When the additional appropriations goes through, it will swell FCC funds for fiscal 1942 to almost 5 million dollars, more than double the outright appropriations for the FCC in 1941. The total 1941 appropriation of $2,376,340 included $2,176,340 for salaries and expense, $175,000 for relocating radio monitoring stations and $25,000 for printing and binding. In addition the FCC during 1941 received the $1,600,000 grant from President Roosevelt for national defense activities, and the $150,000 for the Foreign Broadcast Monitoring Service—an aggregate of $4,126,340.

FCC appropriations for fiscal year 1942, provided by Congress this spring, totaled $4,259,729. This sum included not only $2,315,229 for salaries and expenses of the FCC itself and $24,500 for printing and binding, but also $1,920,000 for national defense activities as a regular appropriation rather than a grant from emergency funds. Addition of the requested supplementary appropriation of $674,414 would bring the grand total to $4,934,143 for fiscal 1942.

With Oklahoma Farmers



• Oklahoma farmers listen to WKY 3 to 1 over all three other Oklahoma City stations combined!

This was disclosed by a state-wide poll* of Oklahoma farmers. Asked the question, "To what Oklahoma radio stations do you listen most?", farmers in 73 of the state's 77 counties gave to WKY almost as many votes as to all other 13 stations in the state together. And WKY was better than a 2-to-1 favorite over the station which ran second.

The decisive preference which listeners, both rural and urban, show toward WKY is the cumulative total of years of carefully balanced programming, alert community service, and energetic showmanagement.

To reach the greatest audience of farmers, city folk, or both with your selling story in Oklahoma, put your program on WKY, Oklahoma's decisively dominant station in every respect.

---

* Complete details available on request.

WKY
OKLAHOMA CITY
NBC Red Affiliate

OWNED AND OPERATED BY THE OKLAHOMA PUBLISHING CO. - THE OKLAHOMAN & TIMES
THE FARMER-STOCKMAN - KVOR, COLORADO SPRINGS - KLZ, DENVER (5000, March)
REPRESENTED BY
THE KATZ AGENCY, INC.

XUM

Supreme Court Upholds State ASCAP Laws

Society Is Adjudged a Price-Fixing Monopoly in Ruling; Must Change Whole Setup in States With Such Laws

ADJUDGING ASCAP a "price-fixing" monopoly, the U. S. Supreme Court, in a unanimous opinion last Monday, upheld the rights of States to enact anti-monopoly laws directed against efforts of groups such as ASCAP to effect "unlawful combinations" for collection of royalties.

The opinions came in the so-called Florida and Nebraska cases and dealt a body-blow to efforts of ASCAP to maintain its present method of operation. Delivered by Associate Justice Hugo Black, the opinions go far beyond the consent decree entered into by ASCAP with the Department of Justice last March.

They will have no direct bearing, however, upon the operations of Broadcast Music Inc., competitor of ASCAP, since it does not function as a collection agency for copyright owners but has acquired performing rights by outright purchase or lease.

There'll Be Some Changes

The effect of the opinions is to put ASCAP out of business as at present constituted, in such States as Florida, Nebraska and Washington, which have virtually identical anti-monopoly laws aimed at ASCAP. ASCAP, however, can conform to the anti-monopoly laws in these States by radically revising its method of operation and by eliminating the price-fixing element.

According to attorneys involved in the protracted litigation, ASCAP probably could continue to do business in those States by acting merely as a sales agency for its publisher and composer members, at prices established by the individual copyright owners. The blanket license method, however, is ruled out where it involves a price-fixing element.

The highest tribunal's ruling opens the way for other State Legislatures to set up similar anti-monopoly statutes. The court did not pass on the constitutionality of other sections of the Florida and Nebraska statutes which were under attack, limiting its judgment to the question of restraint of trade.

The magnitude of the reorganization of ASCAP which will be entailed to conform with the state laws has not yet been fully outlined. Under the Florida statute, to avoid criminal action if it does business in the State, it must, among other things:

(1) File complete information with the Controller of the State on copyrighted works available and charges fixed; (2) if two or more copyrighted owners combine, they must file per-piece prices; (3) a charge cannot be made for programs using non-ASCAP music, in spite of the consent decree provisions for blanket licenses, if a per-piece basis also is offered.

Likelihood that the sweeping decisions will have a bearing on current negotiations between NBC and CBS with ASCAP for new performance contracts was immediately indicated in New York. NBC reported that its negotiations still were in progress, but CBS said its meetings with ASCAP "are being temporarily suspended until the full implications of the Supreme Court decision are studied by the CBS legal department." "Discussions cannot be resumed," said the network, "until both groups know to what extent the method of licensing is changed by the decision."

Only Associate Justice Frank Murphy, who was Attorney General at the time the litigation was initiated, did not participate in the court's unanimous decision. The ruling terminates a seven-year fight, which began when the State of Montana adopted the first of a series of anti-monopoly statutes designed to curb ASCAP's allegedly improper activities. The Montana statute since has been repealed, however. States, aside from Florida, Nebraska and Washington, which have somewhat similar laws, are Kansas and North Dakota.

A Victory for Bennett

The Supreme Court's judgment is viewed as a 100% victory for Andrew W. Bennett, Washington attorney and former Assistant Attorney General in charge of copyright litigation. He was retained as special counsel of the NAB on copyright litigation at the time the Florida and Nebraska litigation was instituted, and assisted in the preparation and argument of the cases through the lower courts.

The Florida cases, on which the main opinion was based, were argued before the Supreme Court April 29-30 immediately following argument on the Nebraska case. Lucien Boggs, of Jacksonville, and Tyrus Norwood, Assistant Attorney General of Florida, divided the argument. William J. Hotz, Omaha attorney, argued for Nebraska. In both cases Mr. Bennett was of counsel.

The court's 11-page opinion came in the two cases involving the Florida anti-monopoly statute. The second opinion, in the Nebraska case, also delivered by Justice Black, covered only two pages and was decided in the same vein.

The first Florida case was that of the Attorney General of the State against ASCAP, and the cross-bill was filed by ASCAP against the Attorney General and the State. In the Nebraska litigation, the Secretary of State sued ASCAP in an appeal from the decision of the District Court of the United States in that State. The Florida appeals were from decisions of the District Court in the Northern District of Florida.

Justice Black described ASCAP as "a combination which controls the performance rights of a major part of the available supply of copyrighted popular music." In the Florida cases, he pointed out that the three-judge court, without passing at all upon the validity of 13 out of 29 sections of the 1937 anti-monopoly statute, held that the remaining 8 sections deprived copyright owners of rights granted them by the Federal copyright laws, and that therefore the statute "must fall in its entirety".

Lower Court's Ruling

The lower court, according to Justice Black, did this upon the premise that the sections were invalid and the other parts of the bill were intended by the Florida Legislature to form a "harmonious whole" and to "stand or fall together".

The ultimate questions involved are such, said the opinion, "that we must first determine whether this ruling was correct. We hold that it was not . . ."

Then the opinion recited that the court below was in error because there can be no doubt that Section 1 and other sections of the Florida statute which the court failed to pass "are complete in themselves; they are not only consistent with the statute's purpose, but are in reality the very heart of the act, comprising a distinct legislative plan for the suppression of combinations declared to be unlawful." This section, said the opinion, was aimed at unlawful combinations and is complete in itself and capable of standing alone.

Reference to the ASCAP consent decree was made by the court in pointing out that in consideration of the Florida case, much confusion had been brought about by discussing the statutes as though the power of a State to prohibit or regulate combinations in restraint of trade was identical with and went no further than the power exercised by Congress in the Sherman Act.

(Continued on page 39)

THE OLD CHISEL REVIVED

Cisler Says Movies Are Trying to Slip in Plugs With Revival of ASCAP on MBS

CHARGING that motion picture companies already have started "the old chisel" for free radio time with the return of ASCAP music to MBS, S. A. Cisler, president and general manager of WGRC, Louisville, on May 24 sounded a warning to other stations in a memorandum addressed to Fred Weber, MBS general manager.

Mr. Cisler, whose station is an MBS affiliate which has not approved the MBS-ASCAP deal, indicated that he not only had refused one "chisel" proposition from Metro-Goldwyn-Mayer, but also had "instructed our program department to refuse all movie premieres, Hollywood chatter, and to have the control man pull the switch on any network announcer who seems about to put in a plug for a movie or show.

"I am alarmed at the rising tide of chiseling by the movie boys in connection with Mutual's return of ASCAP music," Mr. Cisler memoed Mr. Weber. "It was my understanding that the new MBS agreement did not require the announcement of movie or show titles with the playing of ASCAP tunes. The *Adventures in Rhythm* show on May 21 specifically mentioned 'Last Time I Saw Paris', . . . from the forthcoming M-G-M picture . . . blank blank.

"ASCAP publishers are flooding us with mailed music, asking in practically all cases that the show or movie be credited when the number is used. We are returning all such music. The radio business is never going to get one dollar from movies if we keep giving it away. How about considering the evil and ask originating stations to lay off such credits? Plenty of radio stations didn't like these free plugs for movies on all networks prior to 1941, and lots of us don't want them restored now."

In a letter answering an offer by M-G-M of a free quarter-hour "air trailer", *Hollywood Radio Reporter*, Mr. Cisler commented:

"Your letter of May 15 is one of the reasons this station and others don't want ASCAP music back on the air. You movie people are getting out the chisel once again with this offer of movie radio trailers that some poor stations are just crazy enough to accept.

"For your own information, WGRC did not vote 'yes' on the Mutual deal with ASCAP because we didn't think it was worth the money, and we knew that the chiseling would start from movies with plugs on this or that picture, etc. Your local theatres are especially abusive in not buying radio time. It is chisel, chisel, chisel—free, free, free. So stop kidding yourself and radio that you have something we need—free. Take some of that big money you pay newspapers, billboards, and magazines and buy radio."

Let WWJ, the most listened-to radio station in the Detroit market, help you influence the buying parade toward your product.

WWJ

National Representatives

George P. Hollingbery Company

New York -:- Chicago -:- Atlanta

San Francisco -:- Los Angeles

Member NBC
Basic Red Network

America's Pioneer
Broadcasting Station

Britain Fights the Enemy With Radio

Secret System Prevents Enemy Using Waves As Air Beams

THE IMPORTANCE of radio in modern warfare—as an integral part of national defense at home and a potent fighting force in an aerial war of words abroad—has never been as fully realized as it is today in wartime England.

Whatever the fortunes of the British in Syria, in the Mediterranean, the Near East, or closer home over the English Channel, British broadcasting, reorganized to cope with blitz conditions, is constantly expanding its activities as the war continues, according to William M. Newton, former news editor and BBC program official recently arrived in this country from London and assigned to the BBC's New York staff.

A Basic Change

"War has meant a fundamental change in the whole system of broadcasting in England," Mr. Newton said. "The problem of British radio technicians, threatened constantly by Nazi bombers setting out to attack the British Isles from bases less than an hour distant, has been to decentralize completely the broadcasting system.

"All over the country, at the outbreak of war, BBC engineers opened their sealed orders and in a matter of minutes the technical resources of the regional transmission points were pooled, and British broadcasting was placed on a war footing.

"With this pooling," Mr. Newton explained, "if a transmitter is knocked out by a bomb, the area is immediately serviced by another transmitter which may be a considerable distance away, and the program continues to be heard in the bombed area without interruption." A number of powerful transmitters have been built since the outbreak of the war in closely-guarded secret locations throughout England.

Another problem which faced the engineers was reorganization of the transmission system so that air channels could not be used by enemy aircraft to steer their way to a target. Exactly how this was accomplished is confidential military information, but it is known that, contained in the sealed orders which went out to BBC engineers on the eve of the declaration of war, were instructions for transmission changeover whereby enemy planes would be confounded rather than guided by air beams.

"This change was so efficiently planned," Mr. Newton said, "that it was effected in about an hour-and-a-half." For listeners in England, it meant the substitution of a single home service program, broadcast on two medium wavelengths, instead of a number of alternative services from London and from the scattered studios and transmitters of the various regions which constituted the BBC peace time set-up.

The present method of operation has admittedly made reception difficult at times, especially during a heavy air raid. But the English listener can always tune in on the BBC shortwave, the transmission of which has not been changed but strengthened.

BBC Often Bombed

"Although Broadcasting House in London has been repeatedly bombed," Mr. Newton said, "the white-walled building off Oxford Circus remains the symbol if not the actual operative center of British broadcasting.

It has been necessary to protect vulnerable transmitters at the source while instituting the system for broadcasting to home listeners and to men under arms; to provide underground studios from which engineers, producers, and others could carry on even while time bombs and land mines are exploding overhead.

Accommodations had to be found for a staff that has increased 50% since the outbreak of the war, with ancient country houses peacefully invaded by actors, engineers, producers, and small towns far from London filled to overflowing.

Pick-ups originate from points all over England as well as from Broadcasting House, and there are now two services—one for the home and one for the armed forces. At Broadcasting House, spotters stand duty on the roof overlooking Oxford Circus, ready at the approach of enemy aircraft to pull a lever and thus flash the tiny blue light which sends men to 'action stations' far beneath the sand bagged walls. Yet even while installing beds alongside microphones and first aid stations beside engineer's control board, British broadcasters from their cramped sub-basement studios have succeeded in vastly extending the radio front."

"When the war was declared," Mr. Newton continued, "Britain was speaking to overseas listeners in nine different languages; the present number is 32, involving, beside many other considerations, the question of finding aerial elbow room for this vociferous and growing microphone league of nations. Broadcasting hours, estimated on the number of transmitters, have risen to 85 a day," Mr. Newton said.

Overseas Personnel

Thirty-one of these hourly periods represent broadcasts in English, notably news announcements and commentaries. For 24 hours a day, news bulletins and other programs are directed to France, Holland and "to territories which British bombers may be then visiting in Italy and the Reich." Special programs are also broadcast to Scandanavia, Spain, Portugal, the Near East, Turkey, Syria and Iraq.

Two hours daily are devoted to Hindustani, Afrikaans, Burmese, and Maltese, and such unlikely Mediterranean tongues as Cypriot are not neglected. Broadcasts to Germany were recently increased "to report the latest details in the strange case of Rudolph Hess."

The presence in Great Britain of complete units of the Canadian Broadcasting Corp., working side by side with representatives of South African, New Zealand, Australian and Indian broadcasting organizations emphasizes the scope of British overseas service.

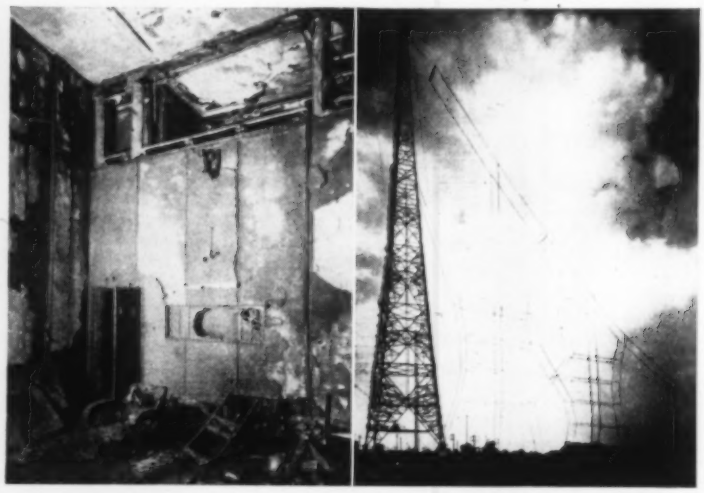
According to BBC officials, British wavelengths have not been subject to any considerable Axis jamming. However, to insure reception of shortwave programs, BBC transmits a foreign program simultaneously on several frequencies so that if the foreign listener tunes in a jammed wavelength, he can find that same program at a number of other points on the dial.

World-Wide Front

How Britain is fighting Axis jamming was described in detail in a recent report by Sir Noel Ashbridge, BBC controller of engineering [BROADCASTING, April 28]. The British are at present using 26 shortwave frequencies for the transmission of their foreign programs.

"Rather than engaging in the negative form of radio warfare such as counter-jamming," Mr. Newton explained, "the problem from the British point of view has been to create a world-wide ether front, maintaining contact with the people of enemy countries behind the lines; with listeners in the occupied territories; with millions of neutrals, and with the men and women of the British commonwealth in all parts of the world. At the same time it has been sought to furnish entertainment programs demanded by men under arms and no less by nerve-strained listeners at home."

"Not only has the transmission system of British broadcasting been reorganized and the shortwave service greatly augmented, but we are constantly expanding and experimenting." "British radio," Mr. Newton concluded "can truly be considered her 'fourth armament'."



IT LOOKS LIKE THIS. after an air raid. Once a palatial studio, these remains show what bombs did at Broadcasting House, London. At right are the BBC's aerials for transmitting to Africa and Western Canada. Wires are duplicated to form a reflector to concentrate radiation in one direction, as well as to prevent echoes and the blurring of reception.

PROPAGANDA BLASTS DISCOUNTED BY FLY

FEAR that foreign propaganda aimed at this country by shortwave may correct the American listening public was discounted by FCC Chairman James Lawrence Fly in an address before the Committee on Communications of the American Bar Assn. in Washington.

The FCC Chairman, at loggerheads with the industry on several fundamental regulatory issues, nevertheless said that as a shortwave and domestic broadcast listeners he did not believe that any appreciable portion of Americans "are going to rely upon broadcasts from abroad so long as American broadcasting stations adhere to high standards of impartiality of completeness in their news and discussion programs.

John E. Lockwood, general counsel of the Rockefeller Committee for Hemispheric Solidarity, cited the need for a more comprehensive South American shortwave job by stations in this country.

The luncheon was tendered by the ABA Committee to the Board of Editors of the *Federal Communications Bar Journal*, headed by Percy L. Russell, Washington radio attorney.

F. A. STUART Co., Marshall, Mich., stipulated with the FTC, through its agency, Benson & Dall, Chicago, to cease allegedly misleading advertisements of Stuart's Laxative Compound.

Canadian ASCAP Loses Plea For Increased Copyright Fee

Rate Remains at 8 Cents, With An Extra Cent to Be Charged for the Use of BMI's Repertoire

By JAMES MONTAGNES

CANADIAN broadcasters after waiting since the end of February, have learned that in 1941 they will continue to pay the same 8-cent-per-receiving-set fee to the Canadian Performing Rights Society (Canadian ASCAP) as last year, and an additional 1 cent to BMI Canada Ltd.

This is the decision of the Canadian Copyright Appeal Board contained in a report of the board to the Canadian Secretary of State, dated May 12. The board reports this decision is applicable this year only, and that before it can set fees for the 1942 term next December, it will be necessary to make an independent survey of the amount of CPRS and Canadian BMI music used on Canadian stations. It asks an appropriation of $5,000. The board also recommends revisions in the Canadian Copyright Act should be made.

Board Plans Survey

While Canadian broadcasters had hoped to obtain a rate of 5 cents for CPRS and 3 cents for Canadian BMI, they are not downhearted about the board's decision in view of the fact that the board plans to make its own survey this year of the percentage of music used from each copyright organization. The additional Canadian BMI fee means about $12,000 divided among the broadcasters this year for which they have the use of both catalogues. About 40% will be paid by the Canadian Broadcasting Corp. and the balance divided among the 74 privately-owned broadcasting stations in the larger cities paying the bulk of the 60%.

The entrance of Canadian BMI into the picture this year complicated the board's decision, the report to the Secretary of State explains. "There has been no rupture of relations between CPRS and the members of the Assn. of Canadian Broadcasters," the board says, "but the latter now broadcast considerable of Canadian BMI music; in respect of the quantum of music derived from the repertoires of ASCAP and Canadian BMI and used by CPRS, the board was furnished certain figures, but they were more or less put in question and no useful purpose would be served for the present by referring to them. If a reliable estimate of the music time of Canadian broadcasting stations occupied by music of CPRS and Canadian BMI respectively should be required in the future in determining tariff loss to be collected by those two companies, the same should be ascertained by the board alone, and the board should also determine the time and place of procuring that information."

In arriving at its rate decision for 1941 the board stated in its report that "Canadian broadcasters appear to desire the privilege of drawing from the musical reservoirs of CPRS and Canadian BMI, and that being the case the board is of the opinion they must pay for the use of both, at the rates to be indicated for the present year at least, in the hope that a year's experience may reveal some better method for dealing with the situation developed by the appearance of Canadian BMI on the scene.

Payment to BMI

"For the right of drawing from the reservoir of CPRS music, Canadian broadcasters have in the past paid a sum equal to 8 cents for each licensed receiving set in Canada, and as that right appears to be desired and is available to them for 1941 as in preceding years, it would therefore seem not a great hardship, or inequitable, that they should pay the same fee for 1941 and that fee we do not propose to increase." (CPRS had asked for an increase to 14 cents per thousand set.)

"Canadian broadcasters also desire the right of drawing from the musical reservoir of Canadian BMI. The latter in its filed statement proposed to collect a sum equal to 1 cent for each licensed radio receiving set in Canada, and no very impressive reason was given to the board for raising that proposed fee to 4 cents, as was subsequently proposed in its amended statement."

Canadian broadcasters had also discussed with CPRS a charge for performance of individual works, but the board found that "the charge for performance of individual works proposed by CPRS would be excessive," nor did the board feel it had authority to approve forms of contract since its duty is to approve a tariff of fees.

Canadian broadcasters under the new rate schedules announced by the Copyright Appeal Board will pay slightly more than $100,000 to CPRS and slightly more than $12,000 to Canadian BMI for 1941. Final figures of radio receiving licenses issued as of March 31, 1941, have not yet been released. Canadian broadcasters have been paying CPRS on a monthly basis since January 1941 on the 1940 schedule, and adjustments will now have to be made and payments started to Canadian BMI retroactive to Jan. 1, 1941. In 1940 Canadian broadcasters paid CPRS $97,819.10.

TRULY A WHOPPER was the 255-pound marlin landed at Guaymas, Mexican west coast resort, by J. Edwin (Brick) Miller (right), assistant commercial manager of KTAR, Phoenix, Ariz. It was the season's record. With him in the fishing party is Richard Simis. They caught four big marlins.

Four Cases Halted ByNewspaperIssue

PURSUANT to its "crackdown" Order No. 79 the FCC May 27 placed four more applications in its pending files preparatory to determination of the newspaper-ownership issue.

The deal whereby the *Grand Island* (Neb.) *Independent*, one of a group of newspapers owned by Oscar Stauffer, was to have acquired KMMJ, Grand Island, was placed in the files. The firm would buy from a corporation consisting of Don Searle, manager of KOIL, Omaha, and KFAB-KFOR, Lincoln, who owns 40% of the stock, with 20% each held by Herbert Hollister, president and co-owner of KANS, Wichita, with Mr. Searle, as well as Harry Searle Jr. and Helen Searle Blanchard.

Florida Case

The action also temporarily halted the sale of WFTL, Fort Lauderdale, Fla., by Tom M. Bryan to Ralph H. Horton, vice-president and stockholder in the *Fort Lauderdale Times*.

The other two applications affected by the order are those of the Courier-Journal & Louisville Times Co., publisher of newspapers of the same names in Louisville, Ky., and WOKO Inc., 25% owned by the *Albany* (N. Y.) *Knickerbocker Press-Albany Evening News*, both applicants for commercial FM facilities.

Par Beverage Test

PAR BEVERAGE Corp., New York, is testing five-minute daily newscasts on WBRY, Waterbury, and WGNY, Newburgh. More stations are to be added, according to the agency, Erwin, Wasey & Co., New York.

Strike Concluded At Columbia Plant

Negotiating Group's Proposal Found to Be Acceptable

STRIKING United Electrical, Radio & Machine Workers, Local 1421, CIO, of Columbia Recording Corp., Hollywood, returned to work May 26, thus bringing to a close the seven-week-old strike. Conference held between company and union officials on May 23 resulted in employes' unanimous acceptance of terms offered by negotiating committee which, headed by Robert Kennedy, union committee chairman, called for settlement of wage increase and seniority problems. Contract, as it now stands, covers one year.

CRC boosted its originally proposed 1.7 cents increase per hour to varying amounts from 2 to 15 cents, setting current minimum hourly rate at 65 cents. However, way was left open for granting of individual salary increases if workers' claims are legitimately based on press of rising living costs. In addition, six paid holidays were granted as well as five days injury pay, according to William B. Elconin, international representative of the union.

Arbitration Plan

Principle of plant-wide, rather than departmental seniority, which proved to be outstanding stumbling block in negotiations between transcription firm and union, was maintained. Also seniority of drafted employes was guaranteed through stipulation in contract of continuance of former company standing upon their return from military service.

At the same time arrangements were made for speedy and satisfactory settlement of any future differences between CRC and employes by discarding the no-strike clause, insisted upon by the company during negotiating period, and instigating instead special arbitration machinery. Through new grievance procedure arbitration can be entered into if only one party so wishes. Heretofore, both sides were required to be in agreement on settlement by arbitration. Decision must be handed down from arbitrator within nine days, and which is final and binding to all parties.

Word was received of a simultaneous wage increase for workers in the CRC Bridgeport, Conn., plant.

Commentating on what the union has accomplished, Mr. Elconin said: "We now believe that this contract will provide the basis for amicable relations between workers and CRC, and that the grievance procedure will adequately meet the problems of labor relations. We further feel that the company is much more aware of the problems of its employes, particularly those created by a rapidly rising cost of living."

INSTALLATION of a 4,840,000 candlepower "true light" aviation beacon atop W6XAO, Don Lee Hollywood television station, was completed during May. Said to be the most powerful beam of its kind in Southern California, light, with six rotations per minute, has a range of 20 miles. Thomas S. Lee, station owner, erected the beacon at his own expense.

FCC Places Net Sales at $154,823,786

Increase of 19% Over 1939 Is Shown by Official Data

AGAIN confirming to a remarkable degree the estimates made by BROADCASTING last January, the FCC last week announced that net time sales of virtually the entire broadcasting industry aggregated $154,823,787, or an increase of about 19% over the preceding year.

The official figures were based on the Commission's annual analysis of data submitted by 765 standard broadcast stations, the three major networks and five regional networks.

Estimates made by BROADCASTING, as published in its 1941 *Yearbook* number and its Jan. 27 issue, were that net time sales aggregated $157,900,000, or an increase of approximately 21% over the preceding year, when they totaled $129,968,000. The FCC's official figures, as compared to BROADCASTING's estimates, divulged a disparity of only 1.9%. The accepted margin of error in volume estimates is 3.5%.

In virtually all net time sales categories, the FCC official figures varied only a few percentage points from the BROADCASTING estimates, made by Dr. Herman S. Hettinger, associate professor of marketing, University of Pennsylvania.

Expenditures Increase

Dr. Hettinger, in using the more conventional figure of gross time sales, which is comparable with figures of other media, arrived at a total of $207,956,000 for 1940, constituting a new high, as compared with $171,114,000 for 1939. This also represented an increase of 21½%. The FCC analysis, had it been projected on a gross basis, it was learned authoritatively, would have resulted in approximately the same figure.

Total broadcast expenses for the industry for 1940 were given as $113,850,009, as against $100,043,920 in 1939, or an increase of 13%. The networks had a total sale of network time of $73,789,011, which represented 47.5% of aggregate net time sales. [BROADCASTING had estimated a total of $70,910,000, or 44.9%.]

National and regional non-network time sales, according to the FCC figures, aggregated $37,140,444 in 1940, an increase of 22% over the preceding year. This represented 23.7% of the industry's aggregate net time sales turnover, according to the Commission. [BROADCASTING's estimate of national and regional spot sales was $38,960,000, or 24.6% of the industry turnover.]

Local time sales, according to the FCC, aggregating $44,756,792 in 1940, or 20% in excess of the 1939 figure. This constituted 28.8% of the aggregate industry volume for last year. [BROADCASTING's estimate of local business was $48,030,000, or 30.5% of the aggregate.]

Broadcast service income, described by the Commission as the excess of broadcast revenues over expenses, was given as $33,296,708 for 1940, or an increase of 39% over the preceding year. The Commission explained that net income is not shown because many stations conduct more than one type of business and the inclusion of income or loss from another type of business would distort the relationship between broadcast service income and net income.

Expense Figures

Total broadcast expenses of network operations were given as $31,042,634 for 1940, with the broadcast service income amounting to $8,512,060, which was said to be a 48% increase for the major networks (NBC, CBS and MBS). The 31 managed and operated stations of the networks had total broadcast revenues of approximately $17,000,000, expenses of $11,287,359, and broadcast service income of $5,661,039.

The 734 other stations had total broadcast revenues of $90,643,625, expenses of $71,520,016, and broadcast service income of $19,123,609. For the aggregate of 765 stations, as distinguished from the operation of networks, the total revenue was $107,592,023, expenses of $82,807,375, and broadcast service income of $24,784,648.

The official figures were compiled by the Commission's Accounting Department, on the basis of reports from the industry as a whole. In addition to the combined income statement [published herewith], the FCC also released last week an analysis of the combined income of the three major networks and their 23 managed and operated stations, and of the five regional networks and their eight managed and operated standard broadcast stations.

An analysis of employment data in the industry will be released within a fortnight and complete breakdowns, covering all phases of fiscal activity of broadcast stations during 1940 will be published in the FCC's booklet, *Statistics of the Communications Industry in the U. S.* later this year.

The FCC's combined income

(*Continued on page 45*)

1940 Combined Income Statement of U. S. Broadcasters

(FCC Report Covering Three Major Networks, Five Regional Networks and 765 Standard Broadcast Stations)

Item (Col. 1)	Networks (Col. 2)	Standard Broadcast Stations: 31 Managed and operated stations[1] (Col. 3)	Standard Broadcast Stations: 734 Other stations (Col. 4)	Standard Broadcast Stations: Total 765 stations (Col. 5)	Grand total (Col. 6)
A. REVENUE FROM THE SALE OF TIME					
(1) Revenue from the sale of station time					
a. Network—					
Sale of station time to networks and stations					
Sale of station time to major networks	.....	$6,215,552	$20,481,477	$26,697,029	
Sale of station time to regional networks	.....	216,283	1,058,317	1,274,600	
Sale of station time to other networks and stations	.....	.....	631,684	631,684	
Total sale of station network time	.....	6,431,835	22,171,478	28,603,313	
b. Non-network (before commissions)—					
Sale of station time to advertisers or sponsors (including their agencies)					
Sale of station time to national and regional advertisers or sponsors	.....	6,358,569	30,781,875	37,140,444	
Sale of station time to local advertisers or sponsors.	.....	4,290,023	[2] 40,466,769	44,756,792	
Total sale of station non-network time	.....	10,648,592	71,248,644	81,897,236	
Total sale of station time	.....	17,080,427	93,420,122	110,500,549	
(2) Revenue from the sale of network time:					
a. Major networks					
Sale of major network time to advertisers	$71,010,575				
Sale of other major network time	908,853				
Total sale of major network time	71,919,428				
b. Regional networks					
Sale of regional network time to advertisers	1,809,093				
Sale of other regional network time	60,490				
Total sale of regional network time	1,869,583				
Total sale of network time	73,789,011				
(3) Deduct—					
a. Portion of sales of time paid to network and stations	[3] 28,594,751	.....	871,022	871,022	
Balance, before commissions	45,194,260	17,080,427	92,549,100	109,629,527	$154,823,787
b. Commissions to regularly established agencies, representatives, brokers and others	[4] 11,146,484	1,658,587	8,053,947	9,712,534	20,859,018
Balance, amount retained from sale of network and station time	34,047,776	15,421,840	84,495,153	99,916,993	133,964,769
B. REVENUE FROM INCIDENTAL BROADCAST ACTIVITIES (after deduction for commissions):					
Talent:					
Sale of talent under contract to, and in the pay of, networks and stations	1,248,100	995,668	3,607,603	4,603,271	5,851,371
Commissions, fees, and profits from obtaining or placing talent	1,216,242	31,283	146,223	177,506	1,393,748
Sundry broadcast revenues	3,042,576	499,607	2,394,646	2,894,253	5,936,829
Total revenue from incidental broadcast activities	5,506,918	1,526,558	6,148,472	7,675,030	13,181,948
Total broadcast revenues	39,554,694	16,948,398	90,643,625	107,592,023	147,146,717
C. TOTAL BROADCAST EXPENSES OF NETWORKS AND STATIONS	31,042,634	11,287,359	71,520,016	82,807,375	113,850,009
D. BROADCAST SERVICE INCOME [5]	8,512,060	5,661,039	19,123,609	24,784,648	33,296,708

[1] Stations licensed to major and regional networks, and those licensed to others but managed by networks as to programs, time, or sales. Five stations less after September 30, 1940.

[2] Since stations with revenue of less than $25,000 for the year were not required to report details, this figure may include some amounts for national and regional non-network business and does include $71,156 for network business. However, the greater portion of the revenue for these stations is from time sold to local users.

[3] This amount does not agree with the amount shown in column 5 as sales to major networks since, in addition to payments by regional networks to stations, it includes amounts paid by major networks to Canadian and other extra-territorial stations and to other networks.

[4] Applicable to the total sale of network time, $73,789,011.

[5] Excess of broadcast revenue over broadcast expenses; net income is not shown because many station licensees conduct more than one type of business and the inclusion of income or loss from another type of business would distort the relationship between broadcast service income and net income.

THERE WILL BE NO SHORTAGE OF GOOD RECORDING BLANKS

PRESTO HAS . . .

1. A NEW GLASS BASE DISC

When aluminum was withdrawn from civilian use we hoped to find a substitute base "almost as good."

We didn't.

We discovered that a plate glass base makes the finest recording blank we've ever produced . . . smoother . . . flatter . . . more uniform in thickness than any metal base disc. Recordings made on the new glass disc even sound better, crisper, clearer because of the extra rigidity of the thicker (.104") base.

The envelope of coating material covering the glass gives it added strength, makes it as durable as an ordinary phonograph record. In handling thousands of these discs in our plant we have found that your breakage problem will be negligible.

Presto glass base discs have 2 holes, one for the turntable center shaft, the second for the *all important drive pin* which prevents *slippage* that might cause wows, off-pitch recordings and imperfect grooving. Each hole is bushed with a soft brass eyelet to assure a perfect fit and prevent chipping.

Use this new Presto disc for your highest quality recording. It's made in our new $250,000 disc plant. It's ready for immediate delivery in unlimited quantities. It's reasonably priced, conveniently packed in tin boxes of 12 discs each.

LIST PRICES

SIZE		PRICE EACH
12"	1.25	
16"	2.50	

2. A NEW ALUMINUM DISC RECOATING SERVICE

If you have a supply of used aluminum discs on hand, send them to us for recoating. Within 10 days we will strip and recoat the aluminum bases and ship them back to you ready to use, as good as new.

The aluminum bases remain your property and may be recoated as many times as you like or as long as they remain flat, undented and unscratched.

Normally in recoating about 10% of the discs made in our plant have a defect on one side. We therefore reserve the right to ship you 10% of your recoated discs perfect on one side only. The single sided discs are charged for at the reduced prices shown below.

We will pay freight on shipments weighing 100 lbs. or more. Smaller quantities should be turned over to your local radio distributor to combine with other lots for bulk shipment.

This recoating service is available to you immediately. Send us your used discs today.

LIST PRICES FOR RECOATING SERVICE

SIZE	PRICE EACH	
	Perfect 1 side	Both sides
12"	1.10	1.25
13½"	1.40	2.00
16"	1.50	2.25
17¼"	2.10	2.80

NOTE: Other sizes not accepted for recoating.

Phone your radio distributor now for *NET DELIVERED PRICES* granted to radio stations and other commercial users, on glass discs and recoating service. Give him your stock order today.

PRESTO

RECORDING CORP. 242 WEST 55th ST. N. Y.

In Other Cities, Phone . . . ATLANTA, Jack. 4372 • BOSTON, Bel. 4510 CHICAGO, Har. 4240 • CLEVELAND, Me. 1565 • DALLAS, 37093 • DENVER, Ch. 4277 • DETROIT, Univ. 1-0180 • HOLLYWOOD, Hil. 9133 • KANSAS CITY, Vic. 4631 • MINNEAPOLIS, Atlantic 4216 • MONTREAL, Wel. 4218 PHILADELPHIA, Penny. 0542 • ROCHESTER, Cul. 5548 • SAN FRANCISCO, Yu. 0231 • SEATTLE, Sen. 2560 • WASHINGTON, D. C., Shep. 4003

World's Largest Manufacturers of Instantaneous Sound Recording Equipment and Discs

It Sells and It Creates Good-Will

Patriotic Broadcast Proves Successful On West Coast

By ROBERT J. DAVIS

Vice-President, Brisacher, Davis & Staff
Los Angeles-San Francisco

IS IT SELLING the sponsor's product and creating public goodwill for the firm? These two vital questions are asked by an advertiser using radio or other advertising campaigns.

Mr. Davis

Proof that the program *American Challenge* is effectively doing both is offered by Ross Sawyer, advertising manager for the sponsor, the Challenge Cream & Butter Assn., Los Angeles, who says:

"Almost since its first broadcast, *The American Challenge* has been a leader among all Pacific Coast radio programs. Today its Hooper Rating of 11.0 indicates conclusively that it has no small listening audience. It has proved its value on the Pacific Coast, in Los Angeles, San Francisco and Portland.

Dealers Listen

"Our salesmen are reporting many flattering comments from grocers. Of all the radio programs sponsored by distributors of items carried in a well-stocked grocery store, it is gratifying to know that *The American Challenge* is among those followed regularly by dealers. Undoubtedly this is due to the timeliness of the patriotic theme. We are sure it is doing a splendid job for the Challenge Cream & Butter Assn."

The association is entirely owned by over 32,000 farmers on the Pacific slope who produce, market and distribute direct to the grocer their own butter, cheeses, and other dairy products.

A few years ago Challenge with steady success used billboards, deluxe streamlined painted bulletins, sides of grocery stores and point-of-sale displays as an effective "traveling billboard" throughout the territory served. Newspaper space, now discontinued, was also used. But this wasn't enough for such a rapidly growing organization. After deliberation, it was decided to augment this current advertising with radio spot announcements.

Keeping in mind that even a one-minute spot announcement should offer the listener something in return for listening, a series of transcribed programs were worked out combining some popular music and dramatized dialogue commercials. These were put on major stations throughout the territory five times a week, and proved effective. However, though splendid when used as a stimulant from time to time, these spots were not the fulltime radio answer to our problem.

Stickler was, of course, how a regional advertiser with a relatively small appropriation compared to national advertisers could jump from spots to a program and combat the major network shows. Obviously the program show had to have action, drama, pathos, and all the other "musts" necessary to appeal to an entire family from grandson to grandpop.

From the Farmers

Oddly enough, the idea for *The American Challenge* sprang from the Challenge farmers themselves. It goes back to the small group of Pacific farmers who, discouraged from the losing battle of selling their dairy products to city commission men, determined to band together and sink or swim by selling their products direct to the retailer.

Definitely this was a challenge to their very existence. In conquering this problem, these farmers proved that nowhere in the world is there a story so packed with thrilling adventure, romance, color, and inspiration as the true story of the people of America!

From this thinking, the story dramatized by *The American Challenge* came to life. The most stirring events in American history, from the landing of the Pilgrims to the Battle of the Argonne, have been translated into a series of half-hour transcribed episodes.

A glimpse at a few of the titles such as, John Paul Jones, Lincoln, Grant and Lee, Jean Lafitte, Paul Revere, Yellow Fever, The Lost Battalion, Daniel Boone, The Purchase of Alaska, Evangeline, The Pony Express, Bret Harte, The Unknown Soldier, and others of like caliber, all written, produced and acted by Hollywood talent and with original music, clearly shows why *The American Challenge* appeals to all the family, adding thousands of child listeners to a large adult audience.

So popular has this program proved with children, there has been a tremendous demand from school boards for transcriptions of *The American Challenge* wherever they have been broadcast. School authorities acclaim it one of the finest educational as well as most interesting programs for children. This has been of great mutual promotion benefit to both the advertiser and the various radio stations.

Effective Appeals

Over KFI, Los Angeles; KPO, San Francisco; KEX, Portland, *The American Challenge* has been renewed time and time again, until now it is in its 60th consecutive week. This protracted popularity has created a widespread interest, and in sections of the country where it is not broadcast by the Challenge association, numerous advertisers have continually expressed a desire to buy the show for their own territories.

In support of the program's listening audience, the Hooper rating of 9.0 was, of course, a satisfying standard, but we felt that "two checks were better than one". As a result, a recent survey conducted by Facts Consolidated which consisted of more than 6,000 calls made during four consecutive broadcasts in the principal markets of this area, substantiated the Hooper check by proving *The American Challenge* ahead of all other programs in Los Angeles and San Francisco at the time broadcast, and ahead of many big transcontinental programs.

From this it is obvious the formula of the show is definitely sound. But, to become intrigued by the program itself and to neglect the commercial would have been unsound. Our primary concern in creating the show was with the sales message. What was said, and how it was said, was, and is, of utmost importance.

Straight commercials and dialogue stressing freshness and appetite appeal of the dairy's products have proved most effective. Continual trade paper copy, and a well-timed weekly letter to the trade and distributors creating interest in the coming week's broadcast have proved a favorable piece of merchandising.

Today radio carries a large part of the load of acquainting Pacific Coast housewives with the dairy fresh products of the Challenge Cream & Butter Assn. And, as mentioned before by Ross Sawyer, we're satisfied that radio is producing results because Challenge can see it reflected in increased business.

NRR Shows Spot Gain

APRIL SPOT business was slightly better than March, according to the April report of National Radio Records. Based on data supplied by 44 cooperating advertising agencies, the report shows 228 active spot accounts in April, compared with 222 in March and 184 in February. In April, two of the campaigns listed used 100 or more stations, seven used from 50 to 99 stations, 22 used 25-49 stations, 46 were on 10-24 stations and 151 broadcast over less than 10 stations. Of the cooperating agencies, Lord & Thomas had 18 active spot accounts, Young & Rubicam was second with 16, and Hays Adv. Agency, Burlington, Vt., third with 14.

Camel Replacement

R. J. REYNOLDS TOBACCO Co., Winston-Salem (Camels), on June 6 will replace *Al Pearce & His Gang* on CBS with *Penthouse Party*, Fridays at 10:30-11 p.m. Program, which features Ilka Chase, has been on NBC-Blue, Saturdays, 1:30 p.m., as *Luncheon at the Waldorf*. Al Pearce will be resumed Oct. 3. Agency is Wm. Esty & Co., New York.

IMA Is Described As a Factual Body

No Thought of Scuttling the MBS-ASCAP Pact Claimed

EMPHASIZING that Independent Mutual Affiliates was formed as a fact-finding body and not as a "sorehead" unit trying to torpedo the MBS-ASCAP agreement, S. A. Cisler, president and general manager of WGRC, Louisville, and temporary IMA chairman, and Leslie C. Johnson, vice-president and general manager of WHBF, Rock Island, Ill., have disowned in comment to BROADCASTING any intent on the part of IMA members to disagree with actions of MBS executives. [BROADCASTING, May 19, 26].

Harking back to the organization of IMA in mid-May during the NAB Convention in St. Louis, Mr. Cisler commented May 24:

"The organization of IMA was not made in the heat of such remarks as 'sold down the river' or 'see if the ballot box wasn't stuffed'. These remarks were made by some who felt very strongly on the ASCAP matter. There were similar remarks about MBS having to sign with ASCAP to forestall any possible 'sellout' by NBC and CBS.

Fact-Finding Body

"While our meeting was called informally just to discuss the ASCAP contract of Mutual and how it would affect our individual operations, no intention of forming a permanent organization came into being until several affiliates suggested that a solid group might be helpful in other situations in the future, and also in examining the mechanics of the present ASCAP deal for those interested.

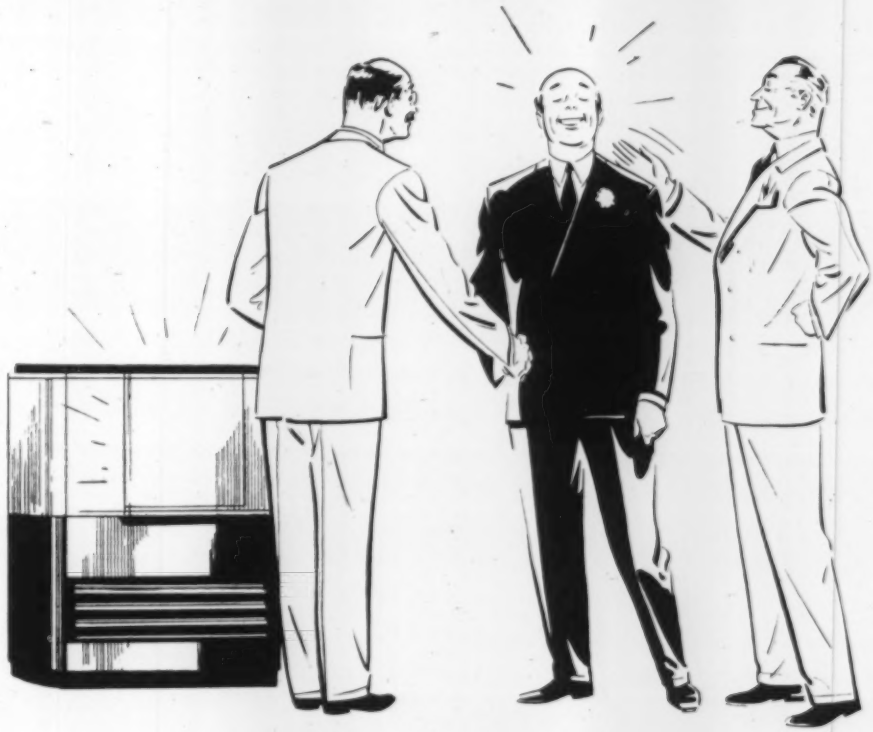
The group did not go on record as either endorsing or disapproving the ASCAP deal, the FCC chain report, or any other controversial question. It was the sense of those present that IMA could be a fact-finding body, seeking answers to problems arising out of the action taken on general network policy."

Fred Weber, general manager of MBS, also entered the discussion during the last week. In a letter to Mr. Cisler, a copy of which was sent to BROADCASTING, Mr. Weber professed surprise at BROADCASTING'S account of the first IMA meeting, commenting that "we should think that a matter of this nature should have reached the Mutual Broadcasting System's attention through means other than written publicity."

Mr. Johnson, of WHBF, is one of three station executives named at the organization meeting to a committee to set up by-laws for a permanent IMA organization and also is a member of the five-man affiliate committee to meet with MBS officials at a date not yet set.

Other members of the committee who have been appointed by Mr. Cisler are William O'Neil, WJW, Akron, and Edgar Allen, WLVA.

(*Continued on page 38*)



"I felt like a long-haired genius"

"YET the truth is that NBC Radio-Recording deserves most of the credit for the swell radio shows our clients sponsor.

"We small advertising agencies are kept so busy with creative and contact work we just don't have much time to spend at radio recording sessions.

"That's why NBC Radio-Recording handles all my radio problems. NBC writes, casts, produces and records all of our spot programs. And what's more, after they're recorded, I let NBC take care of the processing, manufacture and distribution of the records. It saves time and overhead.

"And say—before you decide this is the *costly* way of doing things, I'd suggest you get in touch with NBC. Find out how economical their service really is. I was amazed —and so were my clients!"

* * *

Whether it's a series of simple announcements or a full-length script or musical show you're working on —why not make use of the professional services available at "Broadcasting Headquarters"? We'll work with you from script to finished pressing—in whole or in part—and record your show NBC ORTHACOUSTIC*, which means reproduction at its best.

No matter how small or large your program problem, write or 'phone today. We're all set to go to work for you.

*Registered Trademark

NBC Radio-Recording Division
NATIONAL BROADCASTING COMPANY
A Radio Corporation of America Service

RCA Bldg., Radio City, N. Y. • Merchandise Mart, Chicago • Trans-Lux Bldg., Washington, D. C. • Sunset and Vine, Hollywood

WCAO

The Voice of Baltimore since 1922

★

Columbia Basic since 1927

★

Broadcasting on 600 kc.

A MYSTERY quiz show *Masterminds*, is slated for a 13-week sustaining buildup on WGAR, Cleveland. The show was originated by Wayne Mack, WGAR drama director. Invited weekly are four well-known Clevelanders, whose job it is to question participants in a mythical mystery case. The narrator at the outset of the program tells what has happened, presents the dilemma to the judges, and introduces the participants in the case. The four judges may then qustion any of the possible villains.

Success on the part of the judges in ferreting out the bad man is rewarded with a supper party at Cleveland's Allerton Hotel. Should the judges fail, WGAR provides the same reward as consolation measure.

* * *

Barrel of Tags

NEW TWISTS to the quiz idea is *Grab Bag*, on WBAL, Baltimore, presented direct from the Hippodrome Theatre. Questions are selected before the program and $5 sent out before the program starts. If the sender can show 3 bottles of the sponsor's product, he gets $10. On the stage is a huge grab-bag from which successful contestants dig for prizes. If the question is missed, $5 is placed in a jackpot which already has $25 in it to be delivered in the form of a money-order to the person whose auto tag number has been selected from a huge barrel on the stage, which contains every number in Maryland.

* * *

Tenth Year Party

BIRTHDAY broadcast will mark the tenth year in radio this month for Anice Ives, conductor of the *Everywomen's Club of the Air* of WFIL, Philadelphia. The participating sponsors are donating their time for the party broadcast, to be scheduled this month. Five members of the station staff, whose service totals 100 years, will act as hosts, including Arnold Nygren, Charles Coleman and Jack Schuntz, engineers; Max E. Soloman, salesman, and Hal Simmonds, announcer.

* * *

Get Up With a Smile

ZANY program designed "to send the husband off to the office with a chuckle and start the day with a smile for the little woman" is heard daily at 8:30 a.m. on WEAF, New York, with Ralph "Sisters of the Skillet" Dumke and Bud "Colonel Stoopnagle and Budd" Hulick as conductors from *Studio X*, supposedly an NBC storeroom in Radio City with bare walls and no equipment but a mike.

* * *

Buck Private

FIVE TIMES weekly serial telling the trials and tribulations of a typical draftee in the Army is broadcast on NBC-Blue under the title of *Buck Private and His Girl*. The cast includes well known radio actors, and scripts are produced by Arthur F. Hanna of the NBC production staff.

* * *

Home on the Air

WAKING UP the dialing public with cowboy ballads and cactus carols is the chore of Happy Gordon, cowboy musical artist on KROW, Oakland, Cal.

Purely PROGRAMS

Canadian Melting Pot

A NEW SERIES of Wednesday evening broadcasts, *New Homes for Old*, started May 28 by the Canadian Broadcasting Corp. on a national network, in which European refugees now settled in Canada are interviewed. First on the list was a Czechslovakian family now raising tobacco in Southern Ontario. This is part of a long-range program started last year with talks by official representatives in Canada of Britain's allies in the war, titled *We Are Not Alone* and followed early this year by a series *Canadians All* on the different nationalities making up the Canadian population.

* * *

Motion Picture Dramas

MOTION PICTURE dramatizations provide for a new weekly series on WDAS, Philadelphia, sponsored by Keith's Theatre, Philadelphia. Starting June 1, each Sunday from 3-3:15 p.m., the Keith's Theatre Players, a group of semi-professionals, will present a dramatized version of the theatre's current picture attraction. Once a month, the program will present instead three scenes from as many motion pictures produced during the past decade. The first 25 listeners guessing the correct picture titles will be presented pairs of passes to the theatre.

* * *

For Government Employes

DEDICATED to the more than 167,000 Government employes in and around Washington, *Your Government and Mine*, heard on WINX, Washington, is produced by the Federal employes themselves. Guest speakers from Capitol Hill and Government departments together with a Government employe columnist appear weekly. All civil service exams and eligibility requirements are announced and a Civil Service Question Box set up whereby the public submits questions by mail which are answered by experts on the air.

* * *

Your City Government

DESIGNED to give listeners an insight into the activities behind the scenes of municipal administration, WJJD, Chicago, has inaugurated a twice-weekly quarter-hour dramatic series titled, *Your City Government*. Programs are under the direction of Alderman William A. Rowan and are based upon the experiences of Chicago's leading agencies and bureaus. Featured participants in each dramatic presentation is the heads of the various departments to be highlighted.

* * *

Business Psychology

STRESSING the values of personality in the solution of business problems, *The Howl Club*, conducted by Florence W. Lavey, psychologist and writer on business problems will make its debut June 3 on WICC, New Haven. Mrs. Lavey's discussions will incorporate illustrative anecdotes by which members will be invited to air their pet grievances and difficulties in relation to other people.

News from Australia

NEW WARTIME JOB for the Canadian Broadcasting Corp. is broadcasting each Sunday morning at 10:15 an Australian and New Zealand news letter for the airmen from "Down Under" who are now training in Canada under the British Commonwealth Air Training Plan. The news report is cabled from Australia through facilities of the Australian Broadcasting Commission to Ottawa on Saturday and compiled and edited for broadcast on Sunday morning.

* * *

CONVALESCING from a critical illness, Eddie Calder, manager of KHUB, Watsonville, Cal., rigged up a temporary studio in his living room stringing a line to the station one block away. He announced and conducted several shows daily.

* * *

Recruiting Campaign

TO HELP in Canada's recruiting campaign during June for active service in Canadian armed forces the Canadian Broadcasting Corp. has started a series of feature broadcasts from the main training camps in the Dominion. Broadcasts include description of the training of artillery units, engineering and armored divisions, and an imaginary Battle of Canada.

* * *

Answers on the Air

TO ANSWER listeners' questions on national and international affairs, Cal Tinney, syndicated newspaper columnist, is conducting a series of nightly programs *Cal Tinney Calling* on WMCA, New York. The radio audience is invited to phone queries to the station and Tinney places his answers directly on the air.

* * *

Amateurs Exclusively

AMATEUR script writers and radio actors get their chance to be heard in *The People's Playhouse* which started on MBS May 30 as a weekly feature. Each broadcast presents three sketches written by listeners and using amateur actors playing opposite Bob or Betty White, stars of the series.

* * *

Where to Swim

BEGINNING Decoration Day and continuing through the summer WOR, New York, is broadcasting Friday evening bulletins on bathing conditions at beaches, pools, lakes and streams in the metropolitan area.

Merchandising & Promotion

Day for Dad—Cards That Pay—Baltimore Slug—Curbstone Fodder—Creole Duo

GENERAL FOODS Corp., New York, is promoting its NBC-Red program, *Maxwell House Coffee Time* with a unique Father's Day tie-up with men's wear stores throughout the country. The promotion which is being featured by the trade magazine, *Men's Wear*, offers to the stores without cost a three-column advertising mat, which is a layout of Father's Day suggestions headed by a photo of Fanny Brice as Baby Snooks, captioned "Surprise, Daddy!" Easel counter and window cards with the Fanny Brice picture with program credit are also being distributed. Last year, 130 stores took part in the promotion.

Two daytime G-F shows, *Portia Faces Life* (40% Bran Flakes), and *Young Dr. Malone* (Post Toasties), will appear in fictionalized form in forthcoming issues of the fan publication, *Radio Mirror*. Some 10,000 posters plugging both the magazine articles and the broadcasts will be sent to newsdealers and stations concurrently with the appearance of the stories. The promotional activities are being directed by Burns Lee, radio publicity chief of Benton & Bowles, New York.

* * *

Telling the World

TO PROMOTE its new program, *Good Neighbors*, NBC has issued a four-page brochure 13 x 17 on foolscap telling of its "radio program series designed to inform citizens of the United States about their good neighbors in the republics of Central and South America." In a full page foreword, under the signature of Niles Trammel, the NBC president declared that the program "is our attempt to build a bridge of knowledge extending from these southern nations to us—a veritable radio highway of mutual understanding". There will be 22 broadcasts in the series which started Thursday, May 22 over the Red from coast-to-coast, 10:30-11 p.m. (EDST).

* * *

Lucky Cards

COMMERCIAL tie-in that literally pays off was started May 12 by American Tobacco Co., New York (Lucky Strike), on the NBC-Red *Kay Kyser's College of Musical Knowledge*. Cards bearing names of tobacco markets and price percentages are drawn by studio audience. Holders of cards called receive a cash award amounting to the number of dollars indicated by cards. This plan has been in effect on the CBS *Your Hit Parade*, sponsored by the same company, since March 8.

* * *

Power Peril

A POTENT LIBATION to salute the June start of operation on increased power to WBAL, Baltimore, has been concocted by the Belvedere Hotel, same city, and known as the "50,000-Watt Cocktail". The drink which, according to the hotel, is "packed full of power", will be featured in the dining rooms and cocktail lounges.

* * *

Light from Raleigh

STORM LIGHTER, engraved with "WPTF, 50,000 watts", has been sent to the trade by the Raleigh station. Enclosed is a message, "Now more than ever . . . North Carolina's Number One salesman!"

Voice of Omaha

WOW, Omaha, has a black & white voice, *The Radio News Tower*, cooperating with clients to give them publicity and enabling the station to publicize systematically every WOW program at regular intervals. More than 8,000 listeners pay 50 cents a year for it. In addition, it is sent gratis to list of more than 5,000 clients, agencies, educational, civic and radio industry leaders.

* * *

Free Food

A FREE LUNCH was given the crowd which gathered at its man-on-the-street program, on KTSA, San Antonio, by Gebhardt Chili Powder Co., to push its Deviled Sandwich Spread. Jack Mitchell m.c. of the show, handed out 500 sandwiches of the sponsor's product.

Postal Jumbos

WHEN the May 16 *Battle of the Boroughs* advertising Noxema on WABC, New York, featured a contest between Postal Telegraph employes in Manhattan and those in the Bronx, the company sent telegrams to 2,100 New York druggists urging them to listen. Jumbo telegrams advertising the broadcast were also displayed in 125 Postal office windows.

* * *

Fight Ducats

FIVE PAIRS of tickets to the Joe Louis-Billy Conn heavyweight fight at New York Polo Grounds June 18 will be given to the first five listeners writing the best letters on the outcome of the fight and sending them to Jimmy Powers, who conducts the nightly sports resume program on WMCA, New York.

Service Booklet

SUCCESS of H. V. Kaltenborn's recent booklet on America's naval defenses has inspired a similar pamphlet dealing with the Army, and plans for a series on other branches of the armed services. The naval booklet, published by the Pure Oil Co., Chicago, sponsor of Kaltenborn's news analyses over the NBC-Red network, Tuesday, Thursday, Saturday, 6:45-7 p.m. (CDST), contains a brief historical sketch by the commentator; two large maps, the first showing naval bases in the Western Hemisphere, and the second picturing some of America's defense problems; photographs and biographical material on high ranking officers and descriptions of various types of fighting ships.

* * *

Pair of Pencils

BASED on the theme, "Here are a good pair to write with and about", WWL is distributing to the trade a WWL pencil and an Elmer's Gold Brick pencil. The Elmer Candy Co. has just completed one year of sponsorship of the Sunday night show, *Jingle Jamboree*, on WWL.

We pause for station identification . . .

This is KFYR, Bismarck

THE PAUSE THAT PRODUCES

results for advertisers using

KFYR

The regional station with the clear channel coverage

Let us sell your story

550 Kilocycles
NBC Affiliate

Meyer Broadcasting Company
Bismarck, N. Dakota

5000 Watts Day
1000 Watts Night

Ask any John Blair man

Priorities Problems Slow Manufacture Of Radio Factories

Material Shortages Becoming More Serious to Industry

DESPITE lack of "official" observations indicating that the pressure of defense manufactures and material shortages gradually are forcing a slow-down in radio manufacture for civilian needs, industry comment continues to paint a darkening picture for non-defense receiver and transmitter construction.

With manufacturers perfecting steps to employ substitutes for strategic defense materials, upon which priority restrictions are being placed in a constantly widening circle, there now appears little doubt in industry circles that civilian manufactures will continue only under increasing difficulties. However, no out-and-out admission of this situation has come from any official Government source.

Fly Noncommittal

FCC Chairman James Lawrence Fly, queried at his regular press conference last Monday, stated he had received no official reports on the possible effect of defense priorities on the development of FM and television. He doubted the situation would cause any postponing of the commercial operation of either of the new radio developments, commenting, "I don't think the Commission ought to move in and out on those things".

Pointing out that in the field of television, for instance, experiments are continuing with synchronizing pulses and color video, with commercial operation in the offing, Chairman Fly declared his faith that "the industry will find its way" through the difficulties foreseen by some.

While the Defense Communications Board has been considering the problems arising from the shortage in materials such as aluminum, zinc, nickel and other metals used in radio and communications manufacture, it has made no public conclusions. Since its interests lie in communications facilities available for defense, there is some doubt as to how deeply DCB might investigate the problem as it affects the civilian picture, particularly in view of the unlikelihood of any shortage of materials for defense communications manufacture.

Industry observers have indicated that with priorities stretching to include such items as copper wire, a general tightening up all down the line is becoming more apparent so far as manufacturing materials are concerned. According to an OPM statement last Wednesday, defense needs for aluminum in June are expected to take from 95 to 100% of all the metal available, including scrap.

With restrictions on supplies of nickel, copper and tungsten, it was noted that vacuum tube manufactures may soon reach a point where only defense needs can be met, with none available for civilian use. The material restrictions also are said to have developed an aggravating situation in the manufacture of transmitters. Another problem arises from the personnel situation, with skilled workmen drawn into other types of manufacture or service, it has been said. A trend toward a shift of workmen from private industry to Government pursuits, in one line or another, also has been reported. Present indications are that manufacturers are working on inventory materials, with a wary eye on the future.

The increasing production difficulties were reviewed May 22 in Washington at a meeting of Radio Manufacturers Assn. officers with OPM Priorities Division officials. With OPM representatives indicating a cooperative and sympathetic attitude, the RMA group submitted to them an outline of the industry's metal requirements for future curtailed production. The schedule encompassed extensive use of substitutes for strategic defense metals, as agreed to by industry members late in April.

As the first year of the concentrated defense effort was drawing to a close, Congress on May 23 sent to President Roosevelt a new law establishing priorities control, through broad statutory powers granted OPM, on a legal basis. So far, mandatory priority control has been established by the OPM Priorities Division, directed by E. R. Stettinius Jr., to cover aluminum, magnesium, nickel, nickel-bearing steel, ferro-tungsten, Neoprene (synthetic rubber), and machine tools. Some form of control is now imposed on 24 materials, mostly metals, either through outright priorities or inventory controls.

SMILINGLY LOOKING ahead to the future are these radio and agency executives upon signing of contract for *Tayton Tattler* featuring Jimmie Fidler, on 7 CBS Pacific Coast stations, starting July 11 and sponsored by The Tayton Co., Hollywood. Seated (l to r) are: Jimmie Fidler and F. A. Durrant, president of the Tayton Co. Standing (l to r) are: W. W. Burgess, company director; Z. Wayne Griffin, West Coast radio director of BBDO, agency servicing the account; L. D. Johnson, general manager of firm; and Jack Smalley, BBDO Los Angeles manager.

MYCALEX FACTORY IN U. S. STARTED

MANUFACTURE in this country of Mycalex, an electrical insulating material adapted for high-frequency transmitting and receiving equipment which heretofore has been produced only in England, was announced last week by Mycalex Corp. of America.

Russell Maguire, president of Auto-Ordinance Corp., the company responsible for the Thompson machine gun, it was stated, is establishing for the American branch of the English corporation, a manufacturing plant which immediately will begin production of the strategic material, in demand for defense purposes. It is adapted particularly for use in aviation-radio equipment. The stoppage of imports from England prompted the move to create the American manufacturing plant.

Mica and Glass

A material made of ground mica and fused glass, the insulator is employed in radio for transmitting tube bases, coil forms, switches, condensers, relays, antennas, transmission lines and couplings, aside from its aircraft applications. Except for the mycalex manufactured by General Electric Co. and Westinghouse under non-exclusive licenses obtained from the English company, it was stated, there have not been sufficient imports of the material to meet orders on hand.

Mr. Maguire's company, it was stated, will erect the requisite manufacturing facilities in the New York area and begin production within 60 days. Col. Edward J. S. Donovan, of Buffalo, is chairman of the board of the Mycalex Corp. of America. Frederic A. Willis, former assistant to William S. Paley, CBS president, is associated with Auto-Ordinance Corp., and, it is expected, will be identified with the new manufacturing company.

Court Orders Hill To Repay Bonuses

Finds He Received Too Much Due to Miscalculations

AMERICAN TOBACCO Co. executives, including George W. Hill, president, and other corporate officers, in a decision handed down May 26 by Justice William T. Collins of the New York Supreme Court, were ordered to repay the corporation $2,168,033.44 as a result of a minority stockholders' action over bonuses, filed in 1938.

It was charged that bonuses paid the officers were computed erroneously in that percentage of excess net profit was not based on the correct net profit figure from the years 1912-1938. Mr. Hill testified in the case last December that he had nothing to do with the computation of bonuses received by him and other officers during those years. This, he said, was the work of J. B. Hawley, corporation treasurer.

Included in the total amount was an item for $150,000 incurred by the corporation for legal expenses in a suit brought against it over an alleged payment of $250,000 to former Federal Judge Martin T. Manton, now serving a prison term for "selling justice." All directors serving when the expenditure was approved, also were held accountable for that payment.

Wrong Computation

The present suit was instituted by Esther Heller and six others and named as defendants Hill, his son George Jr., Paul M. Hahn, Vincent Riggio and Charles F. Neiley, all vice-presidents.

In his decision, Justice Collins held that the bonuses, which, with his salary added, netted Hill Sr. $5,500,000 between 1926, when he became president of the corporation, and 1939, when the action was started, were paid out on an erroneous computation, in that the percentage of excess net profits was not based on a correct computation of net profit figures from 1912 to the end of 1938.

Because of the treasurer's misinterpretation of the bonus plan the defendants were ordered to restore to the corporation overpayments in the amount of $2,018,033. Justice Collins further held that objections made during the trial to other payments to the defendants were null and void, so far as miscomputation was concerned.

The company sponsors *Information Please* on NBC-Blue, *Hit Parade* on CBS and *Kay Kyser* on NBC-Red, supplemented by occasional spot campaigns.

Nu-Maid Oleo Series

MIAMI BUTTERINE Co., Cincinnati (Nu-Maid Oleo-Margarine) is currently running a 10-week schedule of spot announcements on five Tennessee stations. Stations selected are WDOD WJHL WLAC WMPS WROL. Agency is Ralph H. Jones Co., Cincinnati.

XUM

CBS Video Signs Notable Art Works

Objects to Be Transmitted in Black-and-White at First

COLLABORATION in presenting masterpieces of art by television was announced jointly May 26 by CBS and the Metropolitan Museum of Art, New York, with plans to start experimental televising of simple objects in black and white after July 1, and leading up to the telecasting of paintings and prints in full color when the technique is more fully established.

Francis Henry Taylor, museum director, and Gilbert Seldes, CBS television program director, first discussed the project last March and since then have been working out specific techniques for the initial persentations. According to Mr. Taylor, the use of color television should be "as revolutionary for visual education as radio was for symphony and opera", adding that he was particularly interested in ultimately transmitting the best in art to the city's schools, enabling students to view original paintings without leaving the classroom.

Mobile Equipment

At the start, none of the telecasts will originate directly from the museum because national defense demands have delayed delivery to CBS of mobile television equipment.

First programs, which will televise color slides the museum has made of some 250,000 items in its collection, will be picked up in the CBS television studio at 52 Vanderbilt Ave., and transmitted from the television antenna atop the Chrysler Bldg. tower. When the CBS mobile equipment is delivered, probably in August, CBS engineers will set up their apparatus in the museum at Fifth Ave. and 82d St., televising major objects directly. Further details of the plan will be announced later in June, according to Mr. Seldes.

Rising Summer Audience Holds WOR Programs

IN VIEW of the growing importance and size of summer radio audiences, WOR, New York, has announced it will continue throughout the summer several of its leading name programs, notably the *Bessie Beatty* and *Dear Imogene* broadcasts, although both Miss Beatty and Imogene Wolcot have vacation clauses in their WOR contracts.

The policy is the result of the recent survey of summer listening and buying in the WOR area, in which 72% more advertisers were found using the station during the summer of 1940 as compared with the same period in 1939 and total daytime listening in the New York area during July and August 1940 showed an increase of 16% (evening listening, a 15% increase) over the same months of the previous year.

FIVE SPONSORS WITH ONE IDEA

Participating Program for Homebuilders Proves Successful Medium in Elmira

A BUILDING supply house, a contractor, a home savings and loan institution, a heating and plumbing house and a paint company are bedfellows in the success story of *The Elmira Progress Review*, a 15-minute participating program, Tuesday, Thursday and Saturday, on WENY, Elmira, devoted to advice and sales messages for prospective homebuilders.

There's a mutual feeling among the sponsors that a glowing description of a new home, tied in with a commercial for the contractor who builds it, is the selling point for all their services. Accordingly, a feature was hit upon to gain the attention of listeners by giving an eye-witness description in the middle of the program of one of the attractive new houses in one of Elmira's recent residential developments.

Mr. Haines' Story

WENY felt the program was going over big, judging by the many invitations announcer Phil Cameron, who also services the program, received from proud homeowners all over the city inviting him in for cake and coffee. But they wanted more evidence. To check, WENY went to the first contractor to sign for participation on the program, H. Clyde Haines, who gave these results after only two broadcasts on *Elmira Progress Review:*

Two nibblers pushed over the line; three new inquiries and contracts definitely attributed to the *Review;* inquiries from three surrounding towns; new Elmira residents inquiring about homebuilding; a constant stream of visitors to his samplehouse. Other sponsors, too, are taking orders in the wake of what looks like a building boom.

In making up its daily format, WENY has to keep on its toes, for each program calls for servicing and personal research, since sponsors' messages have to dovetail with the continuity of building information and avoid clashing interests. No music is used, but the program is dressed up by a transcribed introduction featuring the voice of another announcer over the realistic sound of hammers and saw.

To keep *Elmira Progress Review* on an even keel, every commercial suggests and solves a definite problem of building; four separate and distinct subjects on each show which do not tie directly into a commercial are included; all subjects tend toward specific help to the homebuilder and the counsel and advice of all sponsors is offered freely, rendering a definite service to prospects.

It may be too early to forecast the size of the eventual success of the *Elmira Progress Review*, the station thinks, but the program has started a new home every airing, and many competing firms are trying to buy into the program—a pretty good indication of success.

Work Is Begun by NBC On Studios in New York

NBC has begun construction of two additional audience-type studios in Radio City as the first major addition to its New York headquarters since it moved there in 1934. Each studio will have a seating capacity of 450 and will be ready about Oct. 1, according to O. B. Hanson, NBC vice-president and chief engineer. Main purpose of the new units, Mr. Hanson said, is to provide correct setting and atmosphere for theatre stars during their radio performances.

Construction details for both studios are the same, each to rise two stories from the sixth floor and each to be 100 feet long and 50 feet wide. The permanent stages, each 38 feet deep, will have color strip lighting systems. Latest developments in acoustical research and design are embodied in the units, including air-conditioning, sound absorbent and sound reflecting studio walls and veed ceilings. Design is by Mr. Hanson and William A. Clarke of NBC, and Earl H. Lundin and Robert Carson, Rockefeller Center architects.

Streitmann Shift

STREITMANN BISCUIT Co., Cincinnati, division of United Biscuit Co. of America, has named Stockton-West-Burkhart, Cincinnati, to direct its account effective June 1. Account executive is Charles H. Butler. The *Streitmann Street Man* will be continued on stations in the South and Southeast.

WFTC Damaged

WFTC, Kinston, N. C., was forced off the air for four minutes early last Monday morning when its antenna tower collapsed. Operation was resumed within four minutes, using the transmission line as a temporary radiator. Jonas Wieland, owner and manager of WFTC, cited the possibility of sabotage as a cause of the collapse, since the guys appeared to have been tampered with. The FBI is investigating the case.

Gen. Foods Concert

SIGNING one of its largest contracts for time on a non-network station, General Foods Corp., New York, on Sept. 1 will promote Maxwell House coffee six times weekly on the 6:30-7 p.m. dinner concerts program on WQXR, New York. Benton & Bowles, New York, is the agency. The company also sponsors WQXR's Wednesday *Symphony Hall* program for Sanka coffee through Young & Rubicam, New York.

Club Picks Shirer Book

WILLIAM L. SHIRER'S new book, *Berlin Diary*, which will be published by Alfred A. Knopf, New York, on June 10, has been selected as the July Book-of-the-Month. Mr. Shirer at present CBS correspondent in this country, was the network's Central European News manager and Berlin correspondent from 1937 until 1940.

Applegate Disposes Of KENO Interest

Las Vegas Petition Granted; Joint Scranton Hearing

CALVERT T. APPLEGATE, one-third owner of KENO, Las Vegas, Nev., was authorized May 27 by the FCC to surrender his holdings in the licensee Nevada Broadcasting Co. to his partners, George Penn Foster, KENO general manager, and Maxwell Kelch, chief engineer of the station, for a nominal sum to be agreed upon.

Under the new setup as a corporation, Mr. Foster and Mr. Kelch will each hold 49.99% of the stock, with Laura Bell Kelch holding the other .02%. KENO, which went into operation last September, uses 250 watts on 1400 kc.

Scranton Hearing

At the same meeting the Commission designated for joint hearing the applications of WARM, Scranton, Pa., for renewal of license; and George Grant Brooks Jr., New York broker, and the Anthracite Broadcasting Co., both seeking a new station in Scranton with WARM's facilities, 250 watts on 1400 kc. WARM, though operating on a special programming test license for the last year, has not yet been issued a license to cover the construction permit.

Principals in the Anthracite Broadcasting Co. are R. E. Nolan, illuminating and coal company president and owner of a lumber company, 45.2% stockholder; John A. Hart, a Mayfield, Pa., banker and mine owner, 44.8%; and Gerald G. White, salesman and commercial manager of WGBI, Scranton, 10%.

Music, Comedy, Variety To Take Leading Place In Summer Productions

MUSIC, comedy and variety are slated to take leading roles in the summer broadcasting picture with heavy drama and audience participation relegated to the background, according to W. Bennett Lewis, CBS New York vice-president in charge of programs, who is currently on the West Coast conferring with Charles Vanda, CBS Western division program director.

Subject of discussion is the prospective *Forecast* series to be broadcast on the weekly *Lux Radio Theatre* spot of Lever Bros. Co., Cambridge, when that show takes its summer leave July 14.

As of last year when network followed a similar policy, opportunity is afforded for experimentation with new ideas and techniques as the 10 to 16 broadcasts are showcased for possible fall sponsorship.

Defense note will be struck when two of the shows are dedicated to defense workers and those in military service. Origination will be evenly divided between East and West Coasts with Charles Vanda as producer of programs emanating from KNX, Hollywood.

XUM

We have THE VERY IDEA

Custom-built radio productions
One minute or one hour—
live or transcribed

The COVERT Co.
360 N. MICHIGAN AVE., CHICAGO

GOLDMINE ON THE SIDEWALK

—is Henry Dupre's daily WWL participating feature "Man in the Street". Loyal listeners chuckle, gasp, BUY. Ideal publicity tie-up with local Loew's Theatre. Sample disc proves punch. Write!
(12:30-12:45, Tues., Thurs., Sat.)

WWL
NEW ORLEANS
50,000 WATTS

CHNS
HALIFAX, NOVA SCOTIA
Is Located in the Centre of the Radio Audience of the Province.

You Cannot Miss If You Use This Station As Its Audience Has Learned to Rely on It Over a Period of Fifteen Years of Uninterrupted Service.

Representatives
WEED & COMPANY
350 Madison Ave., N. Y.

More Ears Per Dollar

Only ears count in radio. The owners of the thousands of WAIR ears gladly "shell out" for products advertised on—

WAIR

Winston-Salem, North Carolina
National Representatives
International Radio Sales

EFFECT OF NAZI PROPAGANDA

Radio Activity Is Found to Be Ineffective Unless Accompanied by Force

NAZI radio propaganda has had little or no effect on the United States despite the vast sums of money spent and the endless efforts of the German propaganda machine to sway this country, according to a survey of shortwave broadcasting in wartime, published by the Foreign Policy Assn., Washington.

The report, authored by Harold N. Graves Jr., senior administrative officer of the FCC broadcast analyst section, and former director of the Princeton Listening Center, is based on several thousand recordings of foreign shortwave programs made since the beginning of World War II and is published in the Headline Book series of the FPA under the title, *War on the Shortwave*.

Works Better With Force

Nazi propaganda, Mr. Graves asserts, has scored its greatest apparent successes when accompanied by force, as in the case of France. But in the United States and Britain where German pressure can be resisted and adequate press and radio services are maintained to offset the propaganda, it has not proven effective. German radio, he claims, has gained some following in areas where ignorance is widespread—as in the Near East—and in the countries where economic inducements can be offered. Mr. Graves referred to certain Latin American countries that rebroadcast German programs primarily because the service is free. Despite this he claims, however, that the nation sufficiently confident of its leaders, with relatively stable social conditions and a sound radio and press service can withstand the barrage of foreign propaganda.

Describing the German methods Mr. Graves says "the aim of Nazi broadcasts is to paralyze action which will hurt Germany and to encourage action that which may help Germany." In times of mounting crises, he further points out German radio seeks to exaggerate danger and fear, citing the example of Lord Haw-Haw's broadcasts to the British that their position was "hopeless". Another method of attack, he discloses is the effort to divide the people of the government, the classes and the various factions within a nation.

He referred to the attempt of Nazi radio to create friction in the Americas by telling the Latin Americas that United States loans to those nations was for the express purpose of indebting them and to the more striking effort of the Germans to arouse discontent among the people of the United States with their leaders and to discredit Washington officials.

The survey also reviews the shortwave programs of France before and after her collapse, Italy, Russia and Great Britain. Commenting on British efforts to stir up discontent among the German people, Mr. Graves declares that while the influence of BBC broadcasts to Germany is questionable, someone is fearful of the effects of the broadcasts because since July, 1940, London transmissions in French and other European languages have been periodically jammed with artificial static, probably of Axis origin.

Mrs. Labbitt Honored

MYRTLE LABBITT, women's commentator on CKLW, Windsor-Detroit, was honored by formal initiation into Theta Sigma Phi sorority at a "Ladies of the Press" dinner May 20. Mrs. Labbitt, who has just completed nine years in radio, was accorded an associate membership as one who is "recognized for her professional ability throughout the community in which she works".

Mrs. Labbitt

Murphy Feed Spots

MURPHY PRODUCTS Co., Burlington, Wis. (livestock and poultry feeds), on May 26 started a 13-week schedule of thrice-weekly five-minute news and market reports on WDAY, Fargo, N. D.; KFAM, St. Cloud; KROC, Rochester; KYSM, Mankato, Minn. On May 31 firm started a weekly half-hour live talent hillbilly show on WMT, Cedar Rapids, Ia. Agency is Critchfield & Co., Chicago.

Convention Record

ALL ATTENDANCE records were broken at the tumultuous NAB convention in St. Louis May 12-15, according to the official breakdown by Everett E. Revercomb, NAB's custodian of the exchequer. A gross attendance of 1,019 was reported, of whom 828 were registered delegates. Of the NAB's active membership of 552 stations, 372 were represented, or 67.4% of the aggregate—another all-time high. There also were 66 non-member stations present. The balance of the attendance was made up of wives and ladies, totaling about 100, guests, press and the NAB staff.

400th Barn Dance

ON THE AIR since Sept. 30, 1933, the *National Barn Dance*, sponsored on NBC-Red by Miles Labs., Elkhart, Ind., for Alka-Seltzer, will chalk up its 400th broadcast May 31. Only remaining regular from the initial talent roster back in 1933 is Arkie the Arkansas Woodchopper. Agency is Wade Adv. Agency, Chicago.

FINDS GOVERNMENT RUNNING NO RISKS

U. S. GOVERNMENT is running no risks that will permit Communism, Fascism or any other "isms" to "contaminate" the ether waves in this country, in the opinion of Aaron Heine, of Camden, N. J., president of the Camden Broadcast Co.

Mr. Heine was called to Washington recently by the FCC to answer questions concerning his application to operate a radio station in Camden. He reported on his return to Camden that he was questioned for eight hours on uses he planned for the station.

Among other things, Mr. Heine said, he was asked if he would employ Communists. He replied that he would not, and avowed his allegiance to the United States. Mr. Heine, who is also president of the Mack Radio Sales Co., which under a lease agreement with the city sells all the available broadcasting time of the municipally-owned WCAM in Camden, was accompanied to Washington by City Solicitor John J. Crean, who attended the hearing as an observer.

Mr. Crean said if the Camden Broadcast Co. receives a Federal license to construct a new station in Camden, it will have to relinquish contractual rights with the city. Camden's WCAM was scheduled to go before the Commission May 26 for a hearing involving disagreements over broadcasting time with other stations. The hearing was postponed at the request of WDAS, Philadelphia, Mr. Crean said. Other stations involved are WTNJ, Trenton, N. J., WCAP, Asbury Park, N. J., and Trenton Broadcasting Co.

11 HOMES WERE SOLD

As Direct Result of Radio Series in Milwaukee

HOW TO SELL HOMES? It was a very real sales problem to the John D. Edwards Milwaukee organization, designers and builders of popular-priced homes.

They brought it to WTMJ, Milwaukee, who explained it to Nancy Grey, who conducts a daily program, *What's New, Ask Nancy Grey*. The result was a series of three 100-word announcements on her daily participation program, paving the way for a special Sunday noon program on the day of a model home project's formal opening.

That program was remoted from the building development itself, with Nancy Grey conducting a radio tour through one of the homes. While glowing and enthusiastic, she was entirely frank. She did not promise miracles for $4,155, nor build up expectations of a mansion for $29 per month (total payments, inculding taxes). But for those within this price range, Nancy told a very attractive story.

As a direct result of the broadcast between over 3,000 people went through the homes open for inspection. Practically all were logical prospects. And here's the payoff: Eleven homes were sold as a direct result of this campaign. There was no advertising other than that broadcast on WTMJ.

XUM

Women of Nation Urged By Federation to Think In Terms of Free Radio

DECLARING that women of the nation must begin to think in terms of still another freedom—freedom of radio, along with freedom of the press, of speech, of petition and assembly—Mrs. Harold V. Milligan, chairman of the radio committee of the General Federation of Women's Clubs, answered for her organization the question "Has Radio Fulfilled Its Obligation to the Women of the Nation" on an NBC-Blue program May 26 during which Dr. James Rowland Angell, NBC counselor on public service programs, also spoke.

Reporting on the resolution relating to the radio industry passed by the General Federation at its national convention a week ago in Atlantic City, Mrs. Milligan said:

"The resolution calls for the continued preservation of the American System of Broadcasting, expresses approval and urges support of the White Resolution, which provides for a study of the entire radio situation.

"If Senator White's resolution is approved by the Senate Interstate Commerce Committee, it may lead to such action as an investigation of the FCC—the Government body set up to regulate, but not to dominate or interfere with a free radio system. It may also bring about a new radio law to take the place of the Communications Act of 1934."

KNOX REEVES DEVICE

General Mills Agency Checks Up on Announcers

TO FACILITATE operations for their field men, Knox Reeves Advertising Inc., Minneapolis, has furnished them with this new device, which includes a portable radio, 12-inch record carrier, and electric turntable. It will supplant last year's bulkier setup which came in two units and lacked a portable radio.

It will be used to playback recordings taken of Wheaties-sponsored baseball broadcasts at various points throughout the country. These are ordered by the agency about 10 days in advance of the field man's visit to that city, and give the full commercial content of each broadcast.

Recordings are first sent to the Minneapolis office and played. They are then sent to the field men, with comments. Upon the field man's arrival in a city, the disc is played to the announcer concerned. A new recording is then made, incorporating home office and field man's suggestions—and both discs are sent back to Knox Reeves headquarters. During the season from six to eight recordings are made of each announcer's commercials along the circuit, with no set schedule.

ADORNED with spinach is George W. Smith, managing director of WWVA, Wheeling, who dropped his dignity to take part in a skit that highlighted a British relief show. He is aided by Lois Mae Nolte, one of the Steel Sisters on the Wheeling Steel program heard over MBS.

CITATIONS AWARDED BY WOMAN'S GROUP

FOUR radio citations were announced May 24 at the annual meeting of the Woman's Press Club of New York in the Hotel Pennsylvania, with Mrs. Amelia B. Moorfield, club president, presenting the certificates of merit to network representatives during a broadcast from 4-4:30 p.m., on NBC-Red. Since 1938, these awards have been made annually at the recommendation of the club's Radio Committee, of which Mrs. Joseph Goodbar is chairman.

E. I. Du Pont de Nemours & Co. was cited for its Monday evening *Cavalcade of America* series on NBC-Red, and especially for the program of April 28, 1941, titled "The Heart and the Fountain," which featured the story of Margaret Fuller, America's first woman foreign correspondent.

NBC received an award for its "service to the nation in broadcasting religious programs of outstanding quality," under the direction of Dr. Franklin Dunham, NBC director of religious programs. The special features division of MBS was cited for its trans-Atlantic broadcast Dec. 17, 1940, based on the success of Emlyn Williams' play "The Corn Is Green", winner of the Critics Circle award for the best foreign play of the year. The broadcast featured scenes in which Ethel Barrymore in New York and Mr. Williams in London played their parts as though on the same stage.

CBS received a citation for its "Let's Pretend" program for children, produced and conducted by Nila Mack as a "happy, wholesome source of entertainment, one that children listen to with eager delight, and parents welcome with confidence into the home."

Video Guild Formed

A TELEVISION GUILD, to promote the interests of the medium, has been organized in New York by a group of people who have studied television for several years following closely all phases of its progress. Weekly meetings are held. Information is sent out to members and copies of talks are kept in a library. Membership is open to all interested in the medium. Offices are in New York. Mabel Clarisse Cobb is director.

KDYL

Showmanship

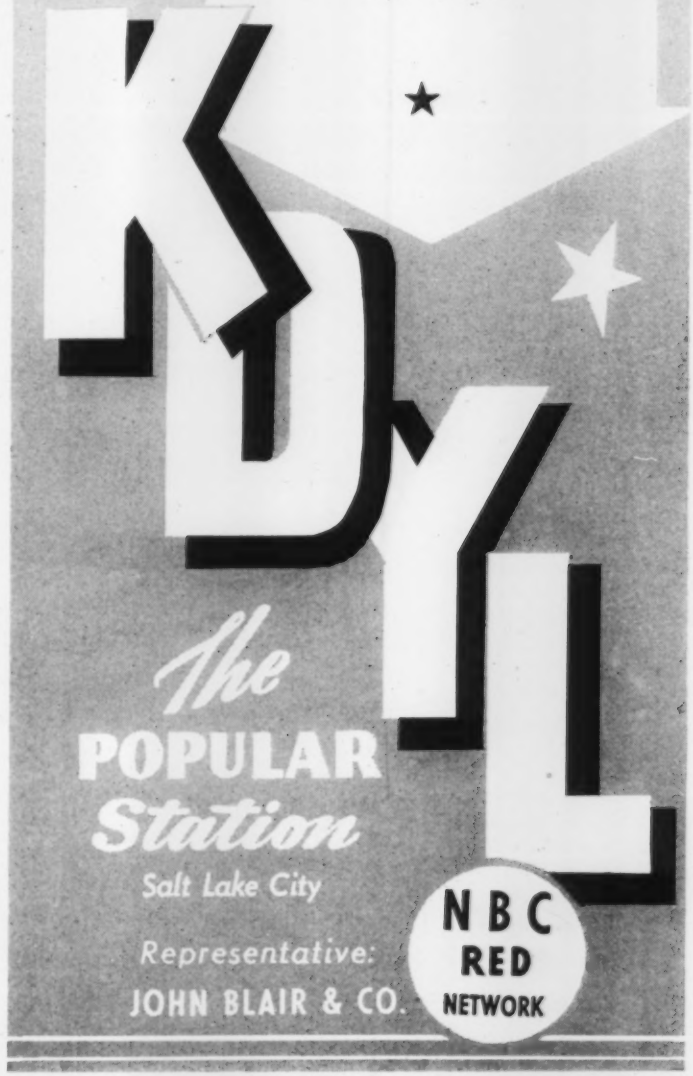
attracts and holds larger audiences in the

Intermountain Market

... and that means

SALES OPPORTUNITIES

for YOU



CINCINNATI'S BIG FIVE
AND FAVORITE PERSON

Al. Bland
"Morn Patrol"

Rex Davis
U·P·News

Johnny Bow
and his Orches

All Doing the Real

FIFTY GRAND IN WATTS

XUM

E POPULAR RADIO SHOWS
N LITIES ★ ★ ★ ★ ★

Len Riley
Sports

Al. Clauser
and his "Outlaws"

...k for the Advertiser!

L. B. Wilson

WCKY

C B S

XUM

BROADCASTING and Broadcast Advertising

MARTIN CODEL, Publisher
SOL TAISHOFF, Editor

Published Weekly by
BROADCASTING PUBLICATIONS, Inc.

Executive, Editorial And Advertising Offices
National Press Bldg. ● Washington, D. C.
Telephone—MEtropolitan 1022

NORMAN R. GOLDMAN, Business Manager ● BERNARD PLATT, Circulation Manager
J. FRANK BEATTY, Managing Editor ● W. R. McANDREW, News Editor

NEW YORK OFFICE: 250 Park Ave., Telephone - PLaza 5-8355
BRUCE ROBERTSON, Associate Editor ● MAURY LONG, Advertising Manager

CHICAGO OFFICE: 360 N. Michigan Ave., Telephone - CENtral 4115 ● EDWARD CODEL

HOLLYWOOD OFFICE: 1509 N. Vine Street, Telephone GLadstone 7353 ● DAVID H. GLICKMAN

Subscription Price: $5.00 per year—15c a copy

● Copyright, 1941, by Broadcasting Publications, Inc.

War Preview

FROM PRESIDENT to page-boy, every employe of a broadcast station in the United States, its possessions and territories, is interested in the answer to the question: "What happens to radio if we go to war?"

There have been assurances from the regulatory standpoint about business as usual, more or less, though current conditions belie even that. Under actual war conditions, however, the future is unpredictable at this writing.

With President Roosevelt's proclamation of a national emergency last Tuesday, radio is on the threshold of mobilization. Section 606 (c) which gives the Chief Executive unlimited powers over all communications, now is operative. The FCC already has paved the way for preliminary moves by adopting a new rule covering national defense emergency authorizations. Silencing of some stations for particular periods, reductions or increases in power or hours of operation now may be ordered at the request of the armed forces. Soon there may even be program priorities.

Literally anything can happen.

But a glimpse at the experience of British radio, under actual seige, as told in this issue by William Newton of the BBC, may be indicative of what can be expected. His rather grim story though not necessarily illustrative of what can occur within the continental limits of this country, offers forebodings for our outlying bastions of defense, like Hawaii, Alaska and Puerto Rico.

When and if war erupts, it is assumed no enemy will be within an hour's bombing time of our principal mainland transmitters. But war in the Pacific might well mean an aerial blitz against Hawaii or the Philippines.

In this connection, Great Britain appears to have accomplished much by pooling its transmitters, almost instantaneously switching to a reserve plant when the operating transmitter is blown out. In England, broadcasting is recognized as the fourth arm of defense—an essential war industry.

Thus far, broadcasting in America is not pegged as an essential arm of defense. At least where strategic materials are involved. Unquestionably the Defense Communications Board, purely a planning agency, is thinking along that line, but until materials are made available for substantial replacements of existing installations, its planning will be empty and purposeless.

In Mr. Newton's description of British radio at war, one observation stands out: Personnel knew precisely what to do when hostilities began. There is repeated mention of "sealed orders" and of amazing speed in establishing radio on a war footing.

Our own DCB is working along the same line, it has been made abundantly clear. The entire operation, with emphasis on communications other than broadcasting, is being blueprinted for Presidential approval, once the state of the emergency warrants. Much, unquestionably, is being learned from the British operation.

We believe our Government might well send an emissary—a man like FCC Chief Engineer E. K. Jett—to England to learn first hand of radio operations under war conditions. And, so there will be a minimum of confusion and of that "what do I do now", attitude, the industry might be told what is to be expected of it when the clock strikes.

This is radio's first experience under what amounts to war conditions. But radio, or any part of it, can't afford to lose its head. Moreover we think there should be a moratorium on such non-essential regulatory onslaughts as newspaper-ownership, monopoly, and the like in these times, and that all concerned, Government and industry alike, should cooperate in the emergency task that lies ahead.

JOT DOWN May 27, 1941 on your radio calendar. For the first time in history an unlimited national emergency was proclaimed by radio. President Roosevelt addressed the largest audience in history. These days, history is recorded by radio.

ASCAP's Lament

JUST WHEN a less truculent and more worldly-wise ASCAP figured it would get its music back on the air through negotiation of new network contracts, along comes the Supreme Court with another sock on the button. The sweeping opinions in the Florida and Nebraska cases last Monday, upholding the right of States to curb "price-fixing" monopolies, all but prostrates Tin Pan Alley all over again.

The immediate effect of the far-reaching opinions, by a unanimous vote of the court, has retarded negotiations of ASCAP with NBC and CBS for new contracts, which would bring back ASCAP's repertoire for the first time since last Dec. 31. Moreover, before ASCAP can do business in Florida, Nebraska and Washington, it must undergo drastic reorganization. It can't issue blanket licenses as the anti-monopoly statutes in those States are now written. Then Kansas and North Dakota also have anti-monopoly laws.

It is logical to assume that other States will seek to have enacted anti-monopoly laws following the Florida-Nebraska pattern. Hotel men, restaurateurs, motion picture exhibitors and other "public performers" will get behind such legislation in the light of the Supreme Court's all-inclusive ruling. In addition to the States which already have enacted anti-monopoly laws, at least another score have had such measures under consideration. More than likely they will be revived.

In the States now having anti-monopoly laws ASCAP, to avoid violation of the criminal statutes and to do business, must among other things (1) file complete information with the State on copyrighted works available and the charges fixed; (2) if two or more copyright owners combine, they must file per-piece prices; (3) a charge cannot be made, in the case of radio, for programs using non-ASCAP music, irrespective of the consent decree provisions for blanket licenses, provided a per-use basis also is proffered.

In hailing the 100% victory for copyright users attained in the Supreme Court's rulings, the broadcasting industry owes a real debt to Andrew W. Bennett, Washington attorney and copyright specialist. A modest but indefatigitable worker, "Andy" Bennett has pitched-in on every brief and pleading in the seven-year battle. He contributed much in writing the State laws, which now have withstood the highest legal test. The decisions in the Florida and Nebraska cases vindicate "Andy" Bennett's judgment.

Guestitorial

RADIO PROMOTION FILM

By HENRY G. WELLS Jr.
General Manager, WJHP, Jacksonville, Fla.

BROADCASTERS, a cross-ally of the show business and publication field, are not hard to sell on various promotional activities. We recognize that underlying valve, and are in most instances prone to think "puff" about this or that big promotion stunt.

We of radio know the inestimable value of our medium, and exactly what it means to the numerous localities where broadcasting stations are located. It is true that we promote our stations both in the national and local fields, but we do not go far enough with local radio education. This condition has existed for a number of years, and although not as serious in some localities as others, it can generally be regarded as a definite weak spot.

Here's a concrete example: In a great many American cities there are large and influential advertising clubs, with a great diversity of business as well as trade members. The membership includes department store managers of advertising, local advertising agency men, executives of moderate businesses and a multitude of printing trade officials in addition to radio and newspaper representatives.

If the club is strictly a trade club (which the name implies), the average member is well schooled in newspaper rates, layouts, circulation, color copy, distribution methods, as well as other forms of advertising. Radio may be given a program, but nine times out of ten

(*Continued on page 42*)

We Pay Our Respects To —

HAROLD CLAYTON BURKE

WHEN IRISH EYES are smiling around Baltimore's WBAL, shure you can bet they're the clear, blue eyes of Harold C. Burke, manager of Maryland's most powerful station. And, if you'll excuse the cornea, those eyes ain't smiling just because they're Irish. There's a more tangible reason.

Eleven miles northwest of Baltimore, crews of workmen, electrical experts and engineers have just completed a job which has kept them buzzard-busy for months—the installation of WBAL's Westinghouse Model 50 HG transmitter. Early in June WBAL leaps from its present 10,000 watts to a full-fledged 50,000 watts, and also at that time the station, which has synchronized with WJZ in the evening, goes to fulltime operation.

On the solid groundwork laid by Burke and his staff comes this crowning climax of WBAL's new power and position in the realm of broadcasting. Since he took over the managerial reins Jan. 1, 1938, the station has had three happy new years chock full of effective new program ideas, unique merchandising methods and rising sales curves. Recently a visitor expressed his astonishment at the zooming advance WBAL had made. Harold, who has become more familiar with the works of Gilbert & Sullivan lately—leaned back and tossed off in reply, "Let the astonishment fit the climb."

The town clerk's files at Marinette, Wis., record the fact that Harold Clayton Burke was born March 12, 1900. His father was a retail grocer. During his high school days, Harold helped out behind the counter after school and on Saturdays.

He taught school in the country, sold toothpicks and wood products, traveled for the Diamond Ink Co., and then went to work for the Burroughs Adding Machine Co., where he received a driving sales training from C. P. Fiskin, now advertising manager for Chevrolet Motors.

In 1924, Burke finally broke into the newspaper field when he joined the old *Milwaukee Wisconsin News* as a salesman of local and national advertising. Later, as a new business manager he brought the paper's home building department advertising up as high as 34 pages a week, largest amount of advertising in these classifications carried by any newspaper in the United States.

Like many other top-notchers, he entered radio off the newspaper springboard. In 1930, the *Wisconsin News*, then operating WISN, appointed him sales manager. He became general manager and then, late in 1935, was sent to WBAL where he spent several months as sales advisor.

Burke's next assignment within the Hearst Radio organization took him to KTSA, San Antonio, where he worked with Elliott Roosevelt who was in charge of all Hearst radio operations in the Southwest. During his year-and-a-half tenure at KTSA, he executed the building of a new transmitter and new studios. The studios are regarded as among the finest in the Southwest.

The year 1937 marked a slump in business and the recession was reflected rather sharply in the falling off of radio revenue. With KTSA in good shape, Burke was transferred to WBAL. His record of accomplishment is well known among broadcasters who have watched WBAL soar upward in prosperity and prestige.

Prominent among his innovations is the much-discussed "Five Point Merchandising Plan", a super-service to WBAL advertisers and their dealers. The BMI-published popular song, "Business in Baltimore", takes its title from the WBAL trade slogan and the song was written at Burke's request.

Harold married Florence Wilhemi of Milwaukee in 1924; is the father of two children, Terry, 15, who wins medals in school debates, and Marilyn, 10, who makes papa take her to the movies every Friday night by producing her blonde person at the studios and tapping her little foot till he quits his desk. Aside from his family, Harold confesses two hobbies: Charcoal broiled steaks and home movies. He is on the board of governors of the Baltimore Advertising Club and a member of the Press Club.

However, these hobbies and activities are neglected currently. There are too many other things that occupy nearly every waking moment. He must keep his alert eyes on the countless details involved in managing the now big league WBAL. And looking to next fall when his 50,000-watt powerhouse shifts to NBC-Red, he is working already on future plans, programs, policies. He sums up his whole purpose in the words: "WBAL—One of America's Great Radio Stations".

Personal NOTES

HOWARD A. MILLER, president and manager of WGIL, Galesburg, Ill., has been appointed to head the local unit of the United Service Organizations for National Defense.

PARKER GAYMAN recently joined KLS, Oakland, Cal., as account executive.

H. V. KALTENBORN, NBC news analyst, on May 28 gave an address on "We Look at the War," before a special session of the Assembly Chamber of the Texas State legislature, the first time the body has conferred such an honor on a radio commentator.

FRANK K. WHITE, CBS treasurer, has returned to his New York headquarters after a business trip covering CBS West Coast network stations.

H. G. HORNER, general manager of the Macquarie Network, Australia, has also been appointed general manager of Macquarie Broadcasting Services, Sydney, Australia.

LINCOLN DELLAR, general manager of KSFO, San Francisco, recently was elected an honorary director of the California Rodeo Assn., which sponsors one of the West's biggest rodeos at Salinas, Cal. annually.

F. WILLARD BUTLER, NBC spot salesman, and Dorothy Michel, of the NBC commercial traffic division, were married June 1 at Kew Gardens, Long Island.

DR. KARL T. COMPTON, president of the Mass. Institute of Technology, has been elected a member of the NBC Advisory Council, bringing the total membership to 14, according to Niles Trammell, NBC president. Dr. Compton became president of MIT in 1930 after 15 years at Princeton where he engaged in teaching and research in the physical sciences.

H. JACK LANG of the Lang, Fisher & Kirk Adv. Agency, is the author of a new book, *The Wit & Wisdom of Abraham Lincoln*.

WILLIAM SCHMITZ, formerly with the *Catholic Sentinel*, has joined the sales staff of KWJJ, Portland, Ore.

KEN VANCE, former program director of WJHO, Opelika, Ala., who recently joined WRBL, Columbus, Ga., is now serving as promotion manager. Other additions to WRBL are Announcers Ben Lucas, formerly of WRDW, Augusta, Ga.; Bob Boyd, formerly of Cordele, and Engineer Bob Wilds, formerly of WJHO.

HUGH JAMES, NBC, New York, announcer, will marry Clementine Torruella June 7.

AL SPOKES, promotion manager of WJTN, Jamestown, N. Y., on June 28 is to marry Amy Lois Tarr, of Syracuse.

TONY SHARPE, music director of WTRY, Troy, N. Y., has been named to the board of directors of the Albany Symphony Orchestra.

WILL BALTIN, program manager of W2XWV, DuMont television station, in mid-May married Hannah Lasarow, of Los Angeles, formerly with the Don Lee network.

BEHIND the MIKE

GEORGE ABEL, formerly a radio actor, has joined the announcing staff of WIL, St. Louis, replacing Bob Rawson who resigned to become a chemical engineer.

PHIL GULLEY, formerly of WJDX, Jackson, and WAML, Laurel, Miss., has joined WCBI, Columbus, Miss., as announcer-pianist.

ROBERTO STIGLICH, MBS South American representative currently in New York on business, is the father of a baby girl, born recently in Lima, Peru.

LOU BRING, musical director on the CBS *Al Pearce & His Gang*, sponsored by R. J. Reynolds Tobacco Co., has been given a similar assignment on that network's *Melody Ranch* program, sponsored by Wm. Wrigley Jr. Co.

NORMAN ANDERSON, usher for CBS in Hollywood and also a student at the U of Southern California, is writing titles for Kate Smith's 16-mm. home movies and arranging musical backgrounds for them.

EARL HARPER, newly-appointed sports director of WAAT, Jersey City, has named Bob Smith as his assistant in broadcasting the nightly baseball games. Smith continues his weekly *New Yorkers of Note* program on WWRL, Woodside, N. Y.

REX MILLER, former foreign correspondent for the *Christian Science Monitor*, history professor and author, and more recently program director and news commentator at WRUL, international station in Boston, has joined WPAT, Paterson, N. J., as news analyst.

TOL WARE, freelance announcer, has been assigned an announcing post at KSFO, San Francisco, during the summer.

JOE HASEL, former director of sport broadcasts on WNYC, New York's municipal station, and previously of WNEW, New York, has joined WBYN, Brooklyn, as sports commentator.

SYBIL CHISM, organist on the NBC *Lum 'n Abner show*, sponsored by Miles Laboratories, Elkhart, Ind. (Alka Seltzer), has written a new theme song titled "Evalina".

DUDE MARTIN, leader of a cowboy musical group at KYA, San Francisco, recently became the father of a baby girl, his third child.

CARL RUFF, of the WOR press department, has been called to service with the Army. He will be succeeded by Tom Braden of the publicity department of the Bureau of Industrial Relations, Rockefeller Center.

PEGGY FOLEY, formerly of the production department of KSFO, San Francisco, has been transferred to the special events department where she is assistant to R. W. Dumm.

HAL LAWRENCE, news editor and announcer at CKGB, Timmins, Ont., has resigned to freelance in Toronto.

NORMAN MacDONNELL, of CBS Hollywood production staff, has been inducted into the Army.

JERRY DEAN, formerly of KATE, Albert Lea, Minn., and the North Central Broadcasting System, has joined the announcing staff of WEBC, Duluth, Minn. Mrs. Robert Redington, formerly Cheer Brentonson, Chicago radio actress, has been placed in charge of women's program of WEBC under the name of Helen Harvey.

JOHN REILLY, program director of WMEX, Boston, was awarded an honorary masters degree in the Art of Oratory, May 17, at the annual graduation exercises of the Staley College of Boston.

R. S. (Dutch) UNDERHILL, formerly sports announcer of WOC, Davenport, Ia., has joined WIND, Gary, Ind.

BILL ROGERS, formerly an announcer of WHAM, Rochester, has joined CBS, New York.

NATHAN SNADER, former musical director of KYW, Philadelphia, is now serving in the Army at Fort Bragg, N. C.

RAYMOND KAY, formerly of WJRD, Tuscaloosa, Ala., has joined the announcing staff of WIP, Philadelphia.

Army Notice

BROADCASTERS, announcers, engineers, production men, news editors or executives who have been inducted or called to duty in the Army have been requested to get in touch by letter with Capt. Gordon Hittenmark, Morale Division, War Dept., Washington. Capt. Hittenmark is anxious to pick one man in each Army post to handle radio details for his branch and would like to hear from all former broadcasters.

WILLIAM GREENE, formerly of WLNH, Laconia, N. H., has joined the production staff of WRNL, Richmond, Va.

LYMAN BROWN, continuity editor of KVFD, Fort Dodge, Ia., is the father of a baby boy born May 15.

ROBERT SHINN, formerly of WGBF and WEOA, Evansville, Ind., and Bob Carlton, from WMRO, Aurora, Ill., have joined the announcing and production staff of WMBD, Peoria, Ill.

LEONARD SHREVE, formerly of KDON, Monterey, Cal., has joined KWJJ, Portland, Ore., as news editor.

GEORGE MARTIN, formerly of WTHT, Hartford, has joined KTMS, Santa Barbara, as newscaster and announcer.

JOHN FELL, announcer of KYW, Philadelphia, suffered a fractured skull, the victim of an assailant.

JACK PATTEN recently was appointed program director of KSAN, San Francisco.

THE **BIG BUY**

IN THE DETROIT MARKET

—AT **800** KC. YOU GET:

—not only INCREASED coverage of the vast Detroit area proper, but a PLUS percentage of brand new listeners outside of this area. Thousands of new sales impacts for your product AT NO INCREASE IN RATES!

CKLW

5000 WATTS DAY and NIGHT • CLEAR CHANNEL

Representative: Joseph Hershey McGillvra

MUTUAL BROADCASTING SYSTEM

Meet the LADIES

MIRIAM ADELSON

IF YOU THINK such a listener question as, "Could you tell me who makes stuff that comes in a blue box with a red label I heard advertised over WOR?" feazes Miriam Adelson, you've got another guess coming. In addition to juggling the duties of general secretary and research assistant in the WOR promotion department, she answers a hundred such listener queries every week. Information gathered by Miss Adelson is carefully recorded every day in the most complete single station contest and offer source file in the country.

Miss Adelson was born and educated in New York and lived there until she was married three years ago and become a Jersey housewife. Previous to joining WOR in 1936 as secretary to Joseph Creamer, WOR promotion director, Miss Adelson was a secretary and later customer relations clerk for one of New York's foremost department stores.

MILBURN McCARTHY Jr. of the Steve Hannagan office, New York, in charge of publicity for the Coca-Cola program on CBS, has been drafted. He is succeeded by William McAdams, Washington newspaperman.

ED NICKEL, MBS publicity assistant, is in Medical Arts Center, New York, recovering from an attack of pneumonia.

PEGGY PHELPS, of the program department of WJSV, Washington, on June 6 is to return to Columbia, Mo., where on June 13 she is to receive her diploma as a graduate of the U of Missouri School of Journalism. Miss Phelps completed her courses six months ago and has been with WJSV since then.

MEREDITH WILLSON, musical director of the NBC *Maxwell House Coffee Time*, sponsored by General Food Corp., New York, has been signed to write music for the MGM film, "The Little Foxes".

MARJORIE MURPHY, of the WGN, Chicago, auditing department, has returned to her desk following a month's leave absence due to an appendectomy.

HELEN JANE OPPEGARD, new to radio and a 1941 graduate of the Medill School of Journalism of Northwestern U, Chicago, on June 16 joins the WBBM-CPS Chicago news staff.

'Cavalcade' Again Wins Award of Youthbuilders

FOR THE SECOND consecutive year *Cavalcade of America*, sponsored on NBC-Red by E. I. Du Pont de Nemours & Co. received the annual radio award voted by members of Youthbuilders Inc. as the program "having done most to help them understand how democracy works". Honorable mention was given to *We, the People*, sponsored on CBS by General Foods Corp., as an "example of a good use of Americas cherished right—free speech", and to the CBS sustaining series the Free Company presents, because "it teaches us to stick up for what we believe is right, and shows how democracy grows by criticizing itself".

Louis Cioffi, 15-year-old m.c. of the *Voice of Young Democracy* program, broadcast by the Youthbuilders on WMCA, New York, presented the radio awards at the group's annual forum award luncheon, held May 22 at the Hotel Capitol, New York. Accepting the scroll for the *Cavalcade* program was Alex D. Osborn, vice-president of BBDO, New York, agency producing the program.

In addition to the presentation of awards, guests at the luncheon heard talks by Raymond Massey, actor, and Newbold Morris, president of the New York City Council, as broadcast 1-1:15 p.m. on NBC-Red.

Woolfries to Cowles

ANDY WOOLFRIES, for 19 years farm service director of WOI, Ames, Ia., has been appointed to a similar capacity with the Cowles' Group, KSO-KRNT-WMT, as of July 1. He began his radio career while a student at the Iowa State College at Ames, when WOI was the 13th station in the U. S. He was studying science and directed his course in developing radio and radio programming. Besides his farm service, he has announced the sporting events for Iowa State and handled a daily musical program of the lighter classics.

Mr. Woolfries

Western Baker *Says...*

"Ever since the beginning of our business in 1935...KOA most satisfactory and profitable ...major portion of our advertising budget... our successful sales volume has been directly attributable to KOA."

KOA DENVER 50,000 WATTS NBC RED NETWORK

REPRESENTED NATIONALLY BY SPOT SALES

Agencies

BRUCE BARTON, BBDO, New York, president, is currently in Los Angeles on agency business. He stated that he has no political interests, but is making a survey of the Southern California and San Francisco branch offices and prevailing West Coast business conditions.

WILLIAM A. JENSEN, sales promotion director of Brown & Thomas, New York, has been appointed assistant to Stanley A. Brown, president of the agency. Newly appointed vice-presidents of the agency are Thomas F. Hughes and Samuel Dalsimer, directors of marketing and research, respectively.

F. P. WAGENER, formerly account executive of Lauesen & Salomon, Chicago, on May 26 joined C. Wendel Muench & Co., Chicago.

W. R. DONALDSON, assistant manager of the research department of Ward Wheelock Co., New York, has been made manager, succeeding C. A. Pooker, resigned.

LARRY COOK recently joined the San Francisco office of Cesana & Associates and has been named executive for radio accounts.

JACK SAYRES, in charge of radio publicity for Young & Rubicam, Los Angeles, has been transferred to the New York office for the summer.

R. W. GUNN, radio director of J. Walter Thompson Co., Chicago, on June 2 returned to his desk following a 4½-month leave of absence due to illness. Robert Eastland, production man of the agency's New York office, who replaced Mr. Gunn during his absence, returned to his duties June 2.

CRIPPEN-CROSBY, Los Angeles, has moved its offices to 1709 W. Eighth St. Telephone is Drexel 3371.

Pacific Council of AAAA Plans Convention in Fall

THE PACIFIC COUNCIL of the American Assn. of Advertising Agencies will hold its 1941 Convention Oct. 23-24 at the Hotel Del Monte, Del Monte, Cal. Subjects of special interest to agency men will be discussed the first day in closed session. On the second day, they will be joined by media and other guests in a morning session, followed by the golf tournament and dinner.

At approximately the same time as the meeting on the Coast, two other regional mid-year meetings of the Assn. will be held—one for agencies in the Central States in Chicago and the other for the Eastern Seaboard in New York. Dates for these will be announced later.

Agency's New Accounts

CARY - AINSWORTH Inc., Des Moines, has been appointed to handle advertising for the following companies: Chamberlain Sales Corp., Des Moines (hand lotion); New Method Equipment Co., Indianola, Ia. (farm machinery); Pepsi-Cola Bottling Co., Des Moines; Guardswell Paint Mfg. Co., Des Moines (paints and waterproofing products); Tidy House Products, Des Moines (cleansers, polishes and waxes); Gibbs-Cook Tractor Co., Des Moines (tractors and industrial equipment).

EMPHASIZING little known operations of the United States war machine, MBS on June 1 started a series of six broadcasts titled *The Story of the Army* under the auspices of the War Dept., Sundays, 2:15-2:30 p.m.

Ad Club Elects Fair

HAROLD FAIR, program director of WHO, Des Moines, was elected president of the Advertising Club of Des Moines for the fiscal year starting July 1. Basing his entire campaign on one plank, "An Advertising Man to Head an Advertising Club" and citing his long experience in radio and agency work as a basis for his qualifications to head the advertising club, Mr. Fair's campaign committee was successful in earning a victory over the rival candidate, William N. Plymat, a local attorney, by a 98-50 vote.

Mr. Fair

Foreign Tongue Outlets Aid Chicago Bond Sales

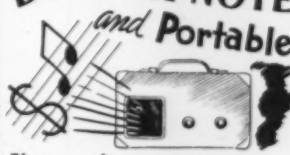
THE TRANSLATION into 10 foreign languages of President Roosevelt's address on the sale of defense bonds, and preparations for a huge Soldier's Field Defense Savings Bonds Rally, were among the plans formulated by Chicago's eight foreign language stations in an effort to cooperate with the Government in the sale of defense bonds.

Station executives who recently met and completed plans with Irvin Sulds, director of the foreign language division of the national defense savings staff, included O. E. Richardson, WJOB; Arnold Hartley, WGES; Ken Carpenter, WJOB; Frank Kotnour, WEDC; Marie Clifford, WHFC; Al Hollender, WIND. In addition, a rally at Soldier's Field to be held in early June, is being planned with Mrs. Roosevelt as principal speaker. Gene Dyer, president of WGES, is the motivating head. Price of admission will be 10c U. S. Savings Stamp.

McKeesport Application

McKEESPORT, a suburb of Pittsburgh, would receive a daytime local, 250 watts on 1360 kc., in the application of the McKeesport Radio Co. for a Class IV outlet in that community. Principals are Stanley J. Kann, Pittsburgh furniture dealer, 40% stockholder; David B. Labowitz, treasurer of the Medicinal Oxygen Co., anaesthetic manufacturers, 20%; Edward I. Labowitz, 20%; and Sidney Gottlieb, 20%.

DOLLAR NOTES and Portables



Yours via

WMUR

MANCHESTER

The One Station Covering NEW HAMPSHIRE'S million and a half summer population

International Radio Sales, Rep.

R. C. Foster in Boston

NBC BLUE NETWORK

Romance in Chicago

RECENT and forthcoming marriages of NBC Chicago personnel include: Eric Danielson, of the program traffic department, and Helen duBois of Kankakee, Ill., on May 10; J. Clinton Youle, news and special events department, and Jeanne Eadie, news and society editor of the *Lombard* (Ill.) *Spectator*, on May 17; Vic Brown, program and talent sales, and Alice E. Johnson of Park Ridge, Ill., on April 19; Virginia Rabe, sales department will marry Harry M. Rush, Chicago attorney, June 7.

Advertising in War

WARTIME ADVERTISING was the principal subject under discussion at the semi-annual meeting of the Assn. of Canadian Advertisers held May 30 at the Mount Royal Hotel, Montreal, under the chairmanship of Chas. R. Vint, Colgate-Palmolive-Peet Co., president of ACA. Subjects discussed included "How the national advertiser can aid Canada's War publicity", "Should we retain our appropriations regardless of the war's situation", and "Should we substitute institutional advertising for product advertising". Special French-Canadian advertising came in for one session including "Radio Programs for French-Canadians" by J. A. Dupont of the Canadian Broadcasting Corp.

CANNON (Ky.) AIN'T EXACTLY BOOM TOWN!

If you're looking for Boom Town in Old Kaintuck, you can overlook Cannon—unhappily, it's just a popgun for size and purchasing power! But *don't* overlook the Louisville Trading Area—a veritable Big Bertha that normally shells out *twice as much* as all the rest of Kentucky—that's now loaded with an *extra* defense payroll topping $5,000,000 a month! . . . WAVE—completely covering the whole Louisville Area—is the only primer you need to touch off a salvo of sales in this moneyed market! If you want the *proof*, we've got it! Or just ask Free & Peters.

LOUISVILLE'S WAVE

5000 Watts

970 K. C. . N. B. C. Basic Red

FREE & PETERS, INC., NATIONAL REPRESENTATIVES

Reserve Your Copy of
1941 Iowa Radio Audience Survey
NOW
Conducted by Dr. H. B. Summers of Kansas State College, the 1941 Iowa Radio Audience Survey is an authoritative study . . tells virtually everything you need to know about Iowa and Middlewest radio listeners' habits . . furnishes a means by which you can scientifically check almost all your advertising plans in this section.
Write for it. No cost or obligation.
Address Dept. B
STATION WHO
DES MOINES, IOWA

5,000 Watts Day
1,000 Watts Night
WMC NBC RED NETWORK
MEMPHIS, TENN.
THE *Billion Dollar* MARKET
★
Represented Nationally by
THE BRANHAM CO.
★
Owned and Operated by
The COMMERCIAL APPEAL
★
MEMBER OF SOUTH CENTRAL QUALITY NETWORK
WMC—Memphis WJDX—Jackson, Miss.
KARK—Little Rock WSMB—New Orleans
KWKH-KTBS—Shreveport

THE VOICE OF MISSISSIPPI
WJDX
5,000 D
1,000 N
JACKSON
N.B.C. RED
Owned and Operated By
LAMAR LIFE INSURANCE COMPANY
JACKSON, MISSISSIPPI

The Northwest's Best Broadcasting Buy
WTCN
AN NBC STATION
MINNEAPOLIS ST. PAUL
Owned and Operated by
ST. PAUL DISPATCH PIONEER PRESS, MINNEAPOLIS TRIBUNE and TIMES TRIBUNE.
FREE & PETERS, INC. — Natl. Rep.

Studio Notes

WTAG, Worcester, is conducting a survey of newspapers in Central New England to determine coverage of WTAG stories and schedules in cities surrounding Worcester. Statistics are compiled on circulation, competition and other pertinent facts concerning newspapers in WTAG's primary service area. Editors of most influential journals are then interviewed by station representatives who seek to boost friendly relations between papers and WTAG and increase publicity given to the station.

A DAILY half-hour participating sponsored program, *Health on Parade*, has been started on WINS, New York. Conducted by Dr. Abraham Lichterman, former health officer for the City of New York, the program imparts information on food, drugs, cosmetics, and public health.

WINS, New York, on June 1 moved its offices and studios to 28 W. 44th St. Due to the defense situation only four of eight studios were completed at the times of moving and official opening of the new setup has been deferred three weeks until all schedules are completed. To meet requirements of operation under 50,000 watts, WINS also is revising its program schedule cutting down all but one-third of total hours for recorded music. New telephone is Bryant 9-6000.

KDYL, Salt Lake City, is to start a weekly theatre participating show from the local Capitol theatre. Program to be of the regular quiz format will be emceed by Emerson Smith, KDYL program director, and will be sponsored by the Canada Dry Bottling Co. of Salt Lake City.

WBIG, Greensboro, N. C., carried the highlights of the Virginia-Carolina Typographical Conference in Greensboro May 24-25. The banquet address by Woodruff Randolph, secretary-treasurer of the International Typographical Union, was carried in full. Maj. Edney Ridge, owner of the station, as a newspaper publisher, a pioneer in giving members of the union annual vacations with pay, was guest of honor.

MONTREAL studios of the Canadian Broadcasting Corp. recently were turned into a radio classroom and laboratory for the students of the Montreal School of Social Services, affiliated with McGill University. Students and social service workers from all parts of Canada attended the session. The program included talks by CBC staff members on "Writing for Radio", "Word Pictures on the Air" and "Technique of the Microphone". Each student was given an opportunity to speak before the microphone, while CBC Producer Rupert Caplan criticized their voice and delivery.

WJJD, Chicago, is contributing to the national defense problem with a twice-weekly quarter-hour broadcast direct from the Great Lakes Naval Training station, Ft. Sheridan, Ill., and the Naval Reserve Aviation Base, Glenview, Ill. Series features music by the Ft. Sheridan chorus of 40 voices, interviews with enlisted men and brief talks by post officials.

WRBL, Columbus, Ga., was instrumental recently in mobilizing Boy Scouts in that area to combat a fire that threatened to destroy the scouts' Camp McKenzie. When word of the conflagration reached scout headquarters an appeal for help was given to WRBL which carried an announcement on its *Baseball Quiz* program. The station later received a letter of thanks and commendation from Scout Executive C. L. Adams stating that as a result of WRBL's assistance, between 150 and 200 scouts gathered at the camp.

Emergency

QUITE unexpectedly was the new emergency power plant of WFBL, Syracuse, called into action during a special demonstration given May 20 by Manager Samuel Woodworth to a group of station executives. Having shown the gathering how the emergency plant delivered 50,000 watts to the transmitter at Collamer within nine seconds, Mr. Woodworth signalled the engineer to switch back to regular power. A second later a fuse blew out and with scarcely a pause the emergency plant picked up the electrical load again, keeping the station in operation.

WSPA, Spartanburg, S. C., had principals of a new quarter-hour song show entertain invited guests at a special promotional party held in the auditorium studios to acquaint Piedmont listeners both with the entertainers' and the sponsor's product. Featured was a regular broadcast from the stage, plus exhibitions of special salads prepared with sponsor's product.

KLZ, Denver, is presenting from 11-11:30 a.m. each Saturday morning the *Junior Genius*. The show consists of four youngsters under 15 years of age who comprise a regular board to answer questions submitted by other youngsters. One dollar is given for each question stumping the panel and each week the child submitting the most stumpers is invited to be a member of the panel the following week. Charlie Roberts, KLZ announcer, is m. c.

KSCJ, Sioux City, Ia., for the sixth successive year is distributing free season passes to members of its Redbird Knothole Gang for admittance to home games of the Sioux City Redbirds of the Western Baseball League. 10,000 Knotholers joined in the parade on the eve of the League opening May 15, and 2,500 passes were issued to youngsters between 9 and 15 years of age at a Knotholers party in the Orpheum theatre.

WFCI, Pawtucket, R. I., has signed with the New England Baseball League for exclusive rights to broadcast home games this season. Programs will be handled by George Sutherland, who conducts the nightly sportscast, *Sports Trail*, each evening at 6:30 p.m.

WCHS, Charleston, W. Va., is organizing a weekly class for its employes to study Spanish. Course was the result of the enthusiasm stirred up by John A. Kennedy, who recently returned from a three-month tour of South America.

WCKY, Cincinnati, has arranged with the U of Cincinnati to inform the 10,000 prospective attendants of the U's graduation exercises when and where the exercises will be held, depending upon weather conditions. Rex Davis, WCKY newscaster, has reserved a spot on his 6 p.m. show June 6 and another on his 8 a.m. broadcast the next day for this information.

IN WHAT the station describes as a "KDTH Dubuqueland Service", the Iowa outlet on May 24 released a remote broadcast direct from Platteville, Wis., as a portion of the Diamond Jubilee of the State Teachers College. The half-hour program consisted of interviews with officials of the celebration, members and wives of the faculty and a description of many relics found near the city.

SPECIAL features division of WOR, New York, again has arranged with traffic control agencies of the New York area to broadcast holiday and Sunday evening public traffic bulletins for motorists.

WLW, Cincinnati, will hold its annual *Mail Bag* picnic usually attended by hundreds of members of the unique air organization from States throughout the Mid-West, June 14, in Sharon Woods, about 20 miles northeast of Cincinnati. Minabelle Abbott, postmistress of the club, will have general supervision over the outing, with Howard Chamberlain, general chairman.

WDSM, Duluth, recently sent Ben Lade, its director of special events, to Camps Claiborne and Livingston in Louisiana to make transcriptions of men from the WDSM area, who are in service there. A series of build-up programs with news about the camps were used to arouse interest, while parents and friends were invited to send in names of the men they wanted to hear. Moland Trucking Co., sponsors, linked their commercials with the national defense idea.

KFRU, Columbia, Mo., recently completed a season with a basketball team that finished second in the city tournament. C. L. Thomas, KFRU manager, has announced that the station will enter a team in the city softball series in hopes of repeating its last year's victory in the "Little World Series".

WNAX, Yankton, under the direction of Charles Worcester, farm service director, transcribed interviews with various Midwest grain farmers voting on the Wheat Marketing Quota Referendum, on May 21. The transcriptions were broadcast on the regular Saturday *Farm Hilites* program at 12:15 p.m.

WCPO, Cincinnati, owned by Scripps-Howard's *Cincinnati Post*, was the only radio station in 22 States to conduct the Scripps-Howard National Spelling Bee. All others were administered by the newspapers. Each of the local elimination contests as broadcast Sunday mornings and the winner, 13-year-old Marian Diedling, will represent Cincinnati at the finals in Washington on May 27. Mayor James G. Stewart was present at the final broadcast to award the prizes.

WNEW, New York, which has an FM application pending with the FCC, has started reconstruction work on its studio "A" so that later this summer it will have scientifically improved facilities for FM broadcasting. Work is being handled by Accoustical Construction Corp., susidiary of Johns Manville Corp.

KMA, Shenandoah, claims one of the longest direct wire hookups ever arranged by an individual station, when it broadcast from Camp Claiborne, La. The full-hour show from the camp featured interviews with Iowa's national guardsmen, who are in training there. Owen Saddler, assistant manager of KMA, was in charge of the party which made the trip, and arranged the broadcast. Jack Kelly, station announcer, handled the mike.

WCBS, Springfield, Ill., has inaugurated a weekly 10-minute program, *WCBS Salutes the Class of '41*. The series consists of interviews with members of the graduating classes from the four local high schools. Each student interviewed receives two tickets to the Fox Lincoln, local theatre.

Canada News Plan

CREATION of a new Canadian Ministry of Information is understood to be under way at Ottawa. The new ministry, if formed, would include various government departmental publicity bureaus and the Canadian Broadcasting Corp. There have been repeated proposals to merge films, radio, information and tourist propaganda in one department, but each time the plans have fallen through. Some time ago Prime Minister Mackenzie King assured a press conference the government was going all the way in new efforts to provide an information service.

FIRST FM SPONSOR for American Network Inc., was signed May 26 with representatives of Socony-Vacuum Oil Co. The sponsor will use FM news broadcasts on stations covering most of New England. Participating in contract signing were (seated, l to r), J. M. Martin, New England Socony manager; John Shepard 3d, president of American Network as well as Yankee and Colonial; A. L. Nickerson, Socony. Standing are John R. Latham, executive vice-president of American Network; George Walker, Socony; C. A. Snyder, of J. Sterling Getchell Inc., the agency.

FM NET CONTRACT SIGNED BY SOCONY

ANOTHER milestone in the progress of frequency modulation was marked off May 26 in Boston when the American Network signed the first commercial FM contract with Socony-Vacuum Oil Co., New York —first FM contract to be signed for seven times a week broadcasts, first FM commercial signed in New England, first for broadcasting the news, and first for two or more FM stations.

Socony, which has been sponsoring the *Yankee Network News* twice daily, seven days a week for the past several years, will sponsor the same news adapted for FM broadcasts on W39B, Mt. Washington, and W43B, Boston, both FM stations represented by the American Network.

Starting June 16 the FM news will be heard Monday through Sunday, 6-6:15 p.m., in addition to Socony's regular Yankee Network, 8 a.m. and 11 p.m. programs.

Signing the contract were John Shepard 3d, president of Yankee Network and American Network; John R. Latham, executive vice-president of the American Network; J. M. Martin, manager of Socony's New England division; George Walker, of Socony, and C. A. Snyder, radio production manager of J. Stirling Getchell Inc., New York, agency in charge.

CBS Latin Additions

COVERAGE in all of the 20 Latin American republics by the CBS Latin American network is now assured with the addition of affiliates in Haiti and Honduras, the only countries not previously represented in the network, which now totals 66 stations. The new affiliates, as announced by Edmund M. Chester, CBS director of Latin American affairs, are: In Port-au-Prince, capital of Haiti, HHW on 1230 kc. with 250 watts power, and HHSW on 9890 kc. (shortwave) with 500 watts; in Tegucigalpa, capital of Honduras, station is La Vox de Honduras with call letters of HRN on 2380 kc. and 5835 kc. (shortwave) with 4,000 watts power.

New C-P-P Series

COLGATE - PALMOLIVE - PEET Co., Jersey City, on July 5 starts a half-hour musical program with Guy Lombardo's Orchestra on CBS, Saturdays, 8-8:30. Product to be advertised on the show has not been announced. Ted Bates Inc., New York, is agency.

CBS AID TO DEFENSE

Engineering Executives Give Time to Government

FOUR CBS engineers, headed by E. K. Cohan, director of engineering, are dividing their time between construction of seven new network transmitters and the radio phase of national defense. Cohan, A. B. Chamberlain, chief engineer, and W. B. Lodge, engineer in charge of the radio frequency division, all with headquarters in New York, make frequent trips to Washington on defense duties, while W. H. Moffatt, shortwave engineer, is now in Bogota, Columbia, conferring on engineer problems of the new CBS Latin-American network.

Governmental groups including one or more CBS engineers are three sub-committees of the Domestic Broadcasting Committee of the Defense Communications Board, and the International Broadcasting Committee of the same board. Mr. Cohan also heads the technical committee of the radio agency on International Broadcasting.

WNLC, New London, Conn., has announced appointment of Burn-Smith Co., New York, as national representative.

Complete Radio Receiving Station!

Covers substantially everything in the radio spectrum. You can use one, two or all three units simultaneously through the separate antenna switch. Monitoring speaker connects to any one; in addition separate speakers can be connected as you wish. Headphone monitoring jack ties into output of any one of the three receivers.

The only receiving unit made which tunes continuously from 1.82 to 2730 meters (165 mc to 110 kc). A few of its services are: time signals, coastal and ship telegraph and telephone, aircraft beacons, standard broadcast, relay broadcast, aviation, amateur, international short wave bands, police, government, press and educational channels. FM broadcast and relay bands with high fidelity audio for best FM reception. Is 20½" wide, 30" high, 18" deep. Sells complete for $450.00.

the hallicrafters co.
CHICAGO, U. S. A.
USED BY 33 GOVERNMENTS
SOLD IN 89 COUNTRIES

REL
FM'S PIONEER MANUFACTURER

Are You Substituting Experimenting For Experience?

REL has years of experience in building and operating all types of high fidelity, wide swing, phase shift modulated FM equipment — from speech input to antenna — with qualified engineers to supervise installation with results guaranteed!

RADIO ENGINEERING LABS., INC.
Long Island City, N.Y.

CRYSTALS by
HIPOWER

The Hipower Crystal Company, one of America's oldest and largest manufacturers of precision crystal units, is able to offer the broadcaster and manufacturer attractive prices because of their large production and the exclusive Hipower grinding process. Whatever your crystal need may be, Hipower can supply it. Write today for full information.

HIPOWER CRYSTAL CO.
Sales Division—205 W. Wacker Drive, Chicago
Factory—2035 Charleston Street, Chicago, Ill.

AFRA Nominees

NOMINEES for the three vacancies on the national American Federation of Radio Artists board were named at a recent meeting of the Los Angeles Chapter. Those up for election are: Edward Arnold, radio and film star; Georgia Fifield, AFRA assistant executive secretary; Hal Berger of KMPC, Beverly Hills, Cal.; Knox Manning, Hollywood news commentator; Norman Field, NBC Hollywood actor; Ken Carpenter, AFRA president and NBC Hollywood announcer; Fred Shields, Hollywood radio actor; Ed Max, radio actor; and Earl Ross, radio actor. Election returns, to be conducted by national mail vote, will be disclosed in mid-June.

Gillette Adds Canada

GILLETTE SAFETY RAZOR Co., Boston, which on June 1 starts exclusive sponsorship on MBS of 20th Century Boxing events, also will sponsor the bouts on the CBC. First event scheduled is the Joe Louis-Billy Conn world heavyweight fight June 18 at New York's Polo Grounds, followed by the June 25 Al Davis-Fritzie Zivic non-title welterweight contest. Contract signers included J. I. Stampelman, president of Gillette in Canada; Donald Manson, CBC chief executive assistant; A. Craig Smith, Gillette advertising manager, and Fred Weber, MBS general manager. Agency is Maxon Inc., New York.

DEPARTMENT STORE PIONEER

Syracuse Firm Profits From Decade of Careful Use of the Broadcasting Medium

By BERNARD WINN

Radio Director, E. W. Edwards & Son

E. W. EDWARDS & Son, large Syracuse department store, is a pioneer in department store radio advertising. The initial broadcast, a children's amateur hour from the store, was aired ten years ago.

Mr. Edwards

At first considered a novelty with little thought of direct selling, a few weeks of experimenting brought E. W. Edwards & Son to realize that the program could produce direct results.

Short, informal announcements were then injected throughout the hour to show which types were effective and which were not. The best results were obtained in the candy, sporting goods, toys and children's departments. Today *Edwards Children's Amateur Hour* is still on WFBL, Syracuse, every Saturday morning, 10-11 a.m.

We also discovered that a better selling job could be accomplished by backing the program with other media, such as mentioning the amateur hour in our regular Friday and Saturday morning newspaper advertisements, occasional window displays, displays of merchandise featured on the program, stuffers in monthly mailings, etc.

Mid-Week Traffic

Six years ago, Edwards undertook to sponsor another program, a cooking school of the air designed to bring mid-week traffic into the store. Home economist chosen for these broadcasts was Sally Franklin who broadcasts from Edwards' third floor auditorium over WSYR. A capacity audience always attends the broadcasts and the *Edwards Cooking School of the Air* has become an institution in itself.

The latest addition to the E. W. Edwards & Son radio schedule is *Favorite Harmonies*, heard each weekday morning over WFBL from 8:15 to 8:30 a.m. Music is featured on the 15-minute show played by Don Anderson and his orchestra with vocals by Helen Russell. Betty Lee Edwards, the store's personal shopper, appears with shopping suggestions and arranges brief interviews with store buyers and representatives of nationally known products handled by Edwards.

As a test of the program's pulling power, a well-known brand of women's hose recently was offered at a special price. Miss Edwards gave only two announcements of the special on her Thursday morning program with the result that 1,200 pairs were sold in one day.

In conclusion it can be said that radio can be fitted into the advertising schedule of department stores providing it is properly handled by the store sponsoring the programs as well as the radio stations. The programs should be backed with some other media of publicity in order to secure the best results.

This is considered essential to get the most out of newspaper advertising, so it should be especially important for radio advertising. It can best be accomplished by having some person within the store's advertising department assigned to radio promotions. The combination of your knowledge of radio and this person's department store training is the right approach to a successful radio campaign.

WPTF Dedication

A SPECIAL DEDICATORY program from its studios and featuring several remotes in Raleigh and vicinity marked the beginning of WPTF, Raleigh, as a 50,000 watter, at 7:15 p.m. May 24. Heard on the program were Gov. Melivelle Broughton and Senator Josiah Bailey of N. C. who extended greetings, the Meredith College Glee Club, Shaw U Choral Society and the Raleigh High Schools Mixed Chorus. The transmitter equipment was installed by Westinghouse.

Minn. U Wins

U OF MINNESOTA program, "Americanism and What It Represents" was given first place in group II-A of the awards made at Columbus, O., by the Institute for Education. BROADCASTING regrets omitting mention of this award in its list published in the May 19 issue.

New Ball Product

BALL BROTHERS Co., Muncie, Ind., during May and June is starting 13-week schedules of 100-word live spot announcements on 44 stations throughout the country promoting Ball jars, caps, rubbers and a new two-piece metal closure, the Ball Vacu-Seal, for Mason jars. Presentation time of two, three and six-weekly spots vary, some being used at regular station breaks, others in established participation programs. Stations selected include WSB WBAL WBT WLS WLW WFAA KOA WHO WJR WTIC KSTP WSM WWL KDKA WGAN WGY KMOX WIBW KMJ KFI KTRB KFBK KPO KXRO KVOS KPQ KWLK KGY KXA KMO KUJ KIT KHQ KAST KBKR KBND KORE KFJI KLBM KOOS KMED KEX KSLM KODL. Applegate Adv. Agency, same city, placed the business.

Major's Radio Work

MAJ. EDWARD BOWES, to devote more time to his radio work, has resigned as managing director of the Capitol Theatre, a post which he has held since 1919. *The Major Bowes Original Amateur Hour* is sponsored on CBS by Chrysler Corp., Thursdays 9-10 p.m. To relieve Maj. Bowes further, the Sunday morning broadcasts of the Capitol Family were discontinued May 25 for the summer on CBS, marking the first time this program has been off the air since its inception in 1922 when it was started as Roxy's Gang under the direction of the late Samuel L. Rothafel. Maj. Bowes took over in 1925 and has conducted it ever since.

Greyhound Series

GREYHOUND LINES, Cleveland (bus service), through Beaumont & Hohman, Chicago, has completed a series of one-minute transcribed announcements to be placed by sectional divisions throughout the country on local stations. Announcements are of travelogue theme and exploit interesting and unusual places in the United States. It is expected this campaign will be extended to include the entire country with initial placements having started in sections of the south and east. Also scheduled to start shortly are Minnesota and Wisconsin. Campaigns will be of varying lengths, using 20 to 25 announcements weekly.

—if your working day started at 6:00 A. M.; ran through 2:00 A. M. NEXT DAY!

But 4 hours sleep are plenty for me! And 20 hours every day I am a bright-eyed salesman. So good, I might mention, that lots of sponsors report current sales increases.

NBC RED AND BLUE—5,000 WATTS NIGHT AND DAY

WSAI CINCINNATI'S OWN STATION

REPRESENTED BY INTERNATIONAL RADIO SALES

WFBL SYRACUSE

AVAILABLE!

A SPORTS PROGRAM with 5-Year Following

With baseball coming up, now's the time to take advantage of this popular sports program broadcast in the early evening, Monday through Saturday. Offers you an established following built up over 5 years of successful advertising. An ideal spot for a sponsor anxious to reach WFBL's active sports audience.

For complete details, write or wire

WFBL SYRACUSE, N. Y.

or Free & Peters, Inc. *National Representatives*

FCC Figures

(Continued from page 16)

statement of the three major networks and their 23 managed and operated standard broadcast stations, after Federal income taxes, disclosed net incomes for the year of $8,885,694, or a decrease of $428,162 as compared with the preceding year. The 23 managed and operated stations revealed a broadcast service income (excess of broadcast revenues over broadcast expenses) of $5,362,593, which was $66,331 below the 1939 figure.

For the networks and their M & O stations, total net income for the year before Federal income taxes was given as $13,226,694, with Federal taxes of $4,341,000, to arrive at the net income figure of $8,885,694.

Total sale of station and network time was given as $86,703,283. The portion of sales of network time paid to independent stations was $20,723,145. Commission to regularly established advertising agencies amounted to $12,000,702. Total participation by others in revenue from the sale of station and network time aggregated $39,926,012, leaving a balance retained from the sale of such time of $46,777,217.

After adding revenue from incidental broadcast activities, and deducting for commissions, the three major networks and their 23 M & O stations showed total broadcast revenues of $53,158,908. Expenses in general categories included $4,532,555 for technical; $19,110,086 for program disbursements; $4,836,593 for sales, advertising, promotion and publicity, and $10,974,631 for general and administrative, or an aggregate of $39,453,865.

The broadcast service income for network operations was $8,342,450; for the 9 key stations $2,933,911; for the 14 non-key stations $2,428,682, and for the total of 23 M & O stations $5,362,593. This provided the grand total in broadcast service income of $13,705,043.

The combined income statement of the five regional networks and their eight managed and operated stations revealed a total sale of station and network time of $4,166,155; total broadcast expenses of $2,876,128, and broadcast service income of $468,056. Of the latter figure, $169,610 resulted from network operations and $298,446 from the operations of the eight managed and operated stations. Federal income taxes totaled $165,597, leaving a net income of $216,736.

Seeks Oregon Station

WESTERN RADIO Corp., licensee of KODL, The Dalles, Ore., which went into operation last December, is applying to the FCC for another station in Pendleton, Ore., to operate on 1240 kc. with 250 watts. V. B. Kenworthy, onetime salesman for KSLM, Salem, Ore., is president and 50% stockholder. Eva O. Hicks is vice-president with 25% and T. M. Hicks, insurance and real estate, is secretary-treasurer with the other 25%.

AGENCY Appointments

THE News Cavalcade, Chicago (monthly publication) to C. Wendel Muench & Co., Chicago. Radio plans indefinite at present time.

CEMAR Co., Chicago (Renew Kit) to C. Wendel Muench & Co., Chicago. On May 19 started a test campaign on WOWO, Ft. Wayne, Ind.

ENNA JETTICK Shoes, Auburn, N. Y. to Amos Parrish & Co., New York. No plans have been formulated.

GREEN GABLE BUILDERS, Onawa, Ia. (portable buildings), to Allen & Reynolds, Omaha.

DREWERY'S DRY GINGERALE, Detroit, to Livingstone Porter Hicks Adv., Detroit.

READY-TO-SERVE FOODS, New York, to J. Walter Thompson Co., N. Y.

ST. LOUIS INDEPENDENT PACKING Co., St. Louis, to Gardner Adv. Co., St. Louis.

W. D. SETHNESS Co., Chicago (Twang Root Beer), to Martin A. Pokrass Adv., same city. On May 26 started a five-week test campaign of five-weekly announcements on KDTH, Dubuque, Ia.

GALLO WINE Co., Modesto, Cal., radio advertising to Charles H. Mayne Co., Los Angeles. Agency formerly handled all media for firm with exception of radio. Currently using extensive Southern California spot announcement campaign with replacement of singing announcement technique by a spoken rhythm announcement.

GOLAN WINES, Los Angeles, to Brown & Thomas, New York. Radio will be included.

HAMILTON DIAMOND Co., Los Angeles (jewelry chain), to Hugo Scheibner Adv., that city. Extensive Southern California spot announcement campaign is planned.

SQUIRT CO., Beverly Hills, Cal. (beverages), to McCann-Erickson, Los Angeles. Radio is not included in immediate plans.

Gallenkamp Clues

GALLENKAMP STORE Co., San Francisco (shoes), on May 22 started for 13 weeks *Here's the Clue*, featuring Frank Graham on 6 CBS Pacific Coast network stations (KNX KSFO KARM KOIN KIRO KFPY), Thursday, 6:45-6:50 p.m. (PST). Series relates brief sketch of a famous person, whose identity is withheld until closing commercial. Writer is Everett Tomlinson. Long Adv. Service, San Francisco, has the account.

CANADIAN BROADCASTING Corp. has issued a consolidation of Canadian broadcasting regulations under the Canadian Broadcasting Act, 1936, with revisions and amendments up to March 24, 1941. Copies are available in English or French through J. R. Radford, CBC Supervisor of Station Relations, Toronto.

WDRC

CONNECTICUT'S PIONEER BROADCASTER

1st CHOICE

Come to Connecticut this Summer for business as well as pleasure! There's more than a million-and-a-half people in this market—with the highest effective buying income per family in the U. S.

Basic CBS for Connecticut

Hartz To Use 25

HARTZ MOUNTAIN PRODUCTS Co., New York (Hartz bird seed), through George H. Hartman Co., Chicago, is completing plans for its fall campaign of quarter and half-hour live and transcribed programs to be released on approximately 25 stations throughout the country. Programs will vary from one to six-weekly, with contracts for 13 and 26 weeks. In some instances, however, this account runs throughout the year. These will be continued.

STATIONS signing for United Press news service during the past two weeks include: WMRF, Lewistown, Pa.; WBOW, Terre Haute; KROS, Clinton, Ia.; WHLN, Harlan, Ky.; WCBT, Roanoke Rapids, N. C., and WEEU and WRAW, Reading, Pa.

Mistaken Identity

THE OTHER DAY the radio at the home of Carroll Shelton, secretary of the Philadelphia & Suburban Home Builders Assn., was silent. When the phone rang and a voice said, "This is the *Calvary Hour*, are you tuned to our program?" he had visions of monetary rewards, and replied: "Yes, Calvert is a good whisky, the only kind I ever drink." "Sorry," cooed the radio voice, "this is the Calvary Church program. You have just missed winning $25. Goodbye!"

NOW 5000 WATTS--FULL TIME!

At no increase in rates—WDBJ is now operating full time on 5000 watts! That's really *something*—because the same number of dollars now buys a far, far, FAR greater number of radio families in our *primary* nighttime area!

Within our *primary* area (*both* night and day) is the vast, rich, Roanoke-Southwest Virginia market—richer than ever today, with defense contracts alone totaling $100,000,000! And remember — WDBJ is the *only* station covering the *whole* territory! Send for the facts, or ask Free & Peters.

WDBJ

ROANOKE, VIRGINIA

FREE & PETERS, Inc.
Exclusive National Representatives

Owned and Operated by the TIMES-WORLD CORP.

CBS Affiliate—5000 Watts Full Time—960 Kc.

THE Business OF BROADCASTING

STATION ACCOUNTS

sp—studio programs
t—transcriptions
sa—spot announcements
ta—transcription announcements

WLAW, Lawrence, Mass.

Raladam Co., Detroit (Marmola), 6 *ta* weekly, thru Street & Finney, N. Y.
D'Arrigo Bros., Boston (Andy Boy brocolli), 6 *sa* weekly, thru Chambers & Wiswell, Boston.
Marlin Firearms Co., New Haven (blades), 6 *ta* weekly, thru Craven & Hedrick, N. Y.
Boston & Maine RR, Boston, weekly *t*, thru Harold Cabot & Co., Boston.
Salada Tea Co., Boston, 150 *ta*, thru John C. Dowd Inc., Boston.
Lever Bros., Cambridge (Swan), 300 *ta*, thru Young & Rubicam, N. Y.
Lydia Pinkham Medicine Co., Lynn, Mass., 65 *t*, thru Erwin, Wasey & Co., N. Y.
Longines Wittnauer Co., New York (watches), 26, *t*, thru Arthur Rosenberg Co., N. Y.
Bulova Watch Co., New York, 14 *sa* weekly, thru Biow Co., N. Y.

WDBO, Orlando, Fla.

Armour & Co., Chicago (fertilizer), 2 *t* weekly, thru Liller, Harris & Neal, Atlanta.
Packard Motor Car Co., Detroit, *ta* series, thru Young & Rubicam, N. Y.
Cadillac Motor Car Co., Detroit, *ta* series, thru MacManus, John & Adams, Detroit.
Grove Labs., St. Louis (proprietary), *ta* series, thru H. W. Kastor & Sons, Chicago.
Northwestern Yeast Co., Chicago, 3 *sa* weekly, thru Hays MacFarland & Co., Chicago.
Wm. Wrigley Jr. Co., Chicago, weekly *sp*, thru Vanderbie & Rubens, Chicago.

WHO, Des Moines

Lever Bros. Co., Cambridge (Spry, Rinso), 130 *t*, thru Ruthrauff & Ryan, N. Y.
Hartz Mountain Products Co., Chicago (bird seed), 26 *t*, thru George H. Hartman Co., Chicago.
Sahara Coal Co., Chicago, 26 *ta*, thru Campbell & Reynolds, Chicago.
Chr. Hansen's Labs., Little Falls, N. Y., 26 *ta*, thru Mitchell-Faust Adv. Go., Chicago.
Consolidated Products Co., Peoria, Ill. (semi-solid buttermilk), 39 *sp*, thru Mace Adv. Co., Peoria.
Moews-Lowe Seed Co., Granville, Ill., 78 *sa*, thru Triangle Adv. Agency, Chicago.

WRC, Washington

L. S. Briggs Inc., Baltimore (meat), daily *sa*, thru Courtland D. Ferguson Inc., Baltimore.
Cliquot Club Co., Mills, Mass. (beverage), 5 *sa*, thru N. W. Ayer & Son, N. Y.
Packard Motor Car Co., Detroit, 11 *sa* weekly thru Young & Rubicam, N. Y.
McCall Corp., New York (*Redbook* magazine), *sa* series, thru Joseph Katz Co., N. Y.
Safeway Stores, Washington, 5 *t* weekly, 13 weeks, thru Lord & Thomas, San Francisco.

KDYL, Salt Lake City

American Chicle Co., Long Island City, daily *sa*, thru Badger, Browning & Hersey, N. Y.
Utah Woolen Mills, Salt Lake City, weekly *sp*, direct.
Utah Oil Refining Co., Salt Lake City, 156 *sa*, thru Gillham Adv. Agency, Salt Lake City.

WMAL, Washington

Curtis Publishing Co., Philadelphia (*Saturday Evening Post*), *sa* series, direct.
Nash-Kelvinator Corp., Kenosha, Wis. (refrigerators), 25 *sa*, thru Geyer, Cornell & Newell, N. Y.

WEAF, New York

Philip Morris & Co., New York (Dunhill cigarettes), 3 *sp* weekly, 13 weeks, thru Biow Co., N. Y.

WINS, New York

Jacob Ruppert Brewery, New York, 6 *sp* weekly, 26 weeks, thru Ruthrauff & Ryan, N. Y.
Hoffman Beverage Co., New York, 18 *sa* weekly, 14 weeks, thru BBDO, N. Y.
Postal Telegraph Co., New York, 70 *sa* weekly, 8 weeks, thru Biow Co., N. Y.
Ex-Lax Inc., Brooklyn, 10 *sa* weekly, 25 weeks, thru Joseph Katz Co., N. Y.
Madison Long Island Personal Loan Co., New York, 21 *sa* weekly, 13 weeks, direct.
Stanback Co., Salisbury, N. C. (proprietary), 6 *sa* weekly, 52 weeks, thru Klinger Adv. Corp., N. Y.
America on Wheels, New York (roller skating rinks), 3 *sp* weekly thru Klinger Adv. Corp., N. Y.
Vitasol Corp. New York (health foods), daily *sp*, direct.
Parfum L'Orle, New York (cosmetics), daily *sp*, thru Jasper, Lynch & Fishel, N. Y.
Webster-Eisnelohr, New York (cigars), 6 *sa* weekly, thru Roberts & Reimers, N. Y.

WBT, Charlotte, N. C.

B. C. Remedy Co., Durham, N. C., 7 *sp* weekly, thru Harvey-Massengale Co., Durham.
Anacin Home Products, Jersey City, 3 *t* weekly, thru Blackett-Sample-Hummert, N. Y.
Ball Bros., Muncie, Ind., 3 *sa* weekly, thru Appelgate Adv. Agency, Muncie.
Dunlop Milling Co., Hartsville, Tenn., *sp* weekly, thru Young & Rubicam, N. Y.
Lehn & Fink, New York (Hinds), 5 *ta* weekly, thru Wm. Esty & Co., N. Y.
Colgate-Palmolive-Peet, Jersey City (Klek), 7 *sa* weekly, thru Ted Bates Agency, N. Y.
Pet Milk Co., St. Louis, 2 *sa* weekly, thru Gardner Adv. Agency, St. Louis.
Shell Oil Co., New York, 3 *ta* weekly, thru J. Walter Thompson Co., N. Y.
Saturday Evening Post, Philadelphia, 6 *ta* weekly, thru BBDO, N. Y.
William Wrigley Jr. Co., Chicago, *sa* weekly, thru Vanderbie & Rubens, Chicago.

KVCV, Redding, Cal.

Regal Amber Brewing Co., San Francisco, *ta* series, thru M. E. Harlan Adv., San Francisco.
Dr. B. L. Corley's Product, San Francisco (medicinal), *sp* weekly, thru Rufus Rhoades & Co., San Francisco.

KIEM, Eureka, Cal.

Regal Amber Brewing Co., San Francisco, *ta* series, thru M. E. Harlan Adv., San Francisco.

WGN, Chicago

Manhattan Soap Co., New York City (Sweetheart Soap) 3 *sp* weekly, 13 weeks, thru Franklin Bruck Adv. Corp., N. Y.

KECA, Los Angeles

Chr. Hansen's Labs., Little Falls, N. Y. (Junket), 5 *sa* weekly, thru Mitchell-Faust Adv. Co., Chicago.

WOR, New York

Sussex County Boosters Conference, Newton, N. J., 12 *sa*, direct.

WGAR, Cleveland

Wm. Wrigley Jr. Co., Chicago, *sa* weekly, thru Vanderbie & Rubens, Chicago.
Wonder Foam Co., Pittsburgh (cleaner), 2 *sa* weekly, thru George M. Rose Agency, Pittsburgh.
Washington State Apple Commission, Seattle, 9 *sa* weekly, thru J. Walter Thompson Co., San Francisco.
Ward Baking Co., New York (cake), 12 *sa* weekly, thru Sherman K. Ellis & Co., N. Y.
Shaler Co., Wampun, Wis. (auto cleaner), 6 *sa* weekly, thru Kirkgasser-Drew Agency, Chicago.
Procter & Gamble Co., Cincinnati (Chipso), 7 *sa* weekly, thru Pedlar & Ryan, N. Y.
Packard Motor Car Co., Detroit, 6 *sa* weekly, thru Young & Rubicam, N. Y.
National Refining Co., Cleveland, 3 *sa* weekly, thru Sherman K. Ellis & Co., N. Y.
Hascrot Co., Cleveland (Senora coffee), 10 *sa* weekly, direct.
General Foods Corp., New York (Post Toasties), 5 *sa* weekly, thru Benton & Bowles, N. Y.
Fleet Wing Corp., Cleveland (gas, oil), 2 *sa* weekly, thru Griswold-Eshleman Co., Cleveland.
Eno Ltd., New York (proprietary), 10 *sa* weekly, thru Atherton & Currier, N. Y.
Dowd-Feder Inc., Cleveland (Dodge, Plymouth), 9 *sa* weekly, thru Lee Anderson Adv. Agency, Detroit.
Canada Dry Ginger Ale, New York (Spur), 5 *sa* weekly, thru J. M. Mathes Inc., N. Y.
Al-ToLabs., Cleveland (cleaning fluid), 2 *sa* weekly, direct.
Dr. Swett's Root Beer, New York, 3 *sp* weekly, thru C. L. Miller Co., N. Y.
Nash-Kelvinator Corp., Kenosha, Wis. (Kelvinator refrigerators), 6 *sp* weekly, thru Geyer, Cornell & Newell, N. Y.

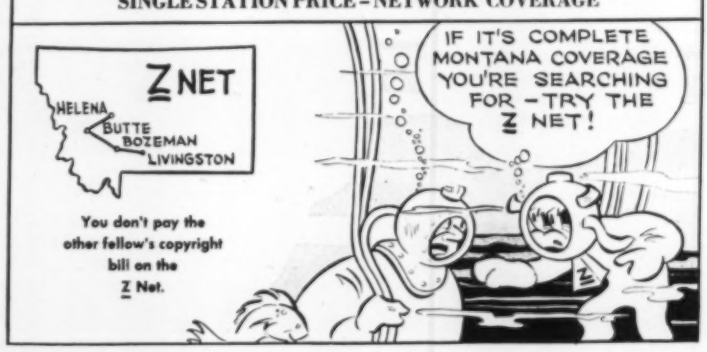
KPO, San Francisco

Challenge Cream & Butter Assn., Los Angeles (dairy products), *t* weekly, thru Brisacher, Davis & Staff, San Francisco.
Bosco Co., New York (milk amplifier), 3 *sp* weekly, thru Kenyon & Eckhardt, N. Y.
Orowheat Baking Co., San Francisco (bread), 2 *sp* weekly, thru Brisacher, Davis & Staff, San Francisco.
United Drug Co., Boston (Rexall), 3 *t*, thru Street & Finney, N. Y.
Henry, Leonard & Thomas, New York (pipes), 41 *sp*, thru Platt-Forbes, N. Y.
Ball Brothers, Muncie, Ind. (jars), 3 *sp* weekly, thru Applegate Adv. Agency, Muncie.
Lehn & Fink, New York (Hinds), 5 *sa* weekly, thru William Esty & Co., N. Y.
Perfection Stove Co., Cleveland, 2 *sa* weekly, thru McCann-Erickson, Cleveland.
White Labs., Newark (Chooz), 5 *sa* weekly, thru H. W. Kastor, Chicago.

WBBM, Chicago

American Cigarette & Cigar Co., New York City (Pall Mall) 14 *ta* weekly, thru Ruthrauff & Ryan, N. Y.
Goodyear Tire & Rubber Co., Akron, 4 *sa*, thru N. W. Ayer Co., N. Y.
Lever Bros. Co., Cambridge (Silver Dust), 5 *sa* weekly, 52 weeks, thru BBDO, N. Y.
McFadden Publications, New York (*Liberty* magazine), 4 *sa* weekly, thru J. Walter Thompson Co., N. Y.

SINGLE STATION PRICE – NETWORK COVERAGE


Z NET
HELENA
BUTTE
BOZEMAN
LIVINGSTON
IF IT'S COMPLETE MONTANA COVERAGE YOU'RE SEARCHING FOR – TRY THE Z NET!
You don't pay the other fellow's copyright bill on the Z Net.

Fitzer Spot Drive

FITGER BREWING Co., Duluth, on June 2 started a varying schedule of 5 and 15-minute live talent programs and one-minute transcribed announcements on 11 stations, as follows: WCCO, Minneapolis, thrice-weekly five-minute programs; WEBC, Duluth, six-weekly quarter-hour programs; one-minute transcribed announcements on WEBC, Duluth; WMFG, Hibbing; WHLB, Virginia; WTCN, Minneapolis; KYSM, Mankato; KFAM, St. Cloud, Minn.; WJMS, Ironwood, Mich.; WDAY, Fargo, N. D.; WEAU, Eau Claire, WDSM, Superior, Wis. Contracts run through the summer. Agency is Sherman & Marquette, Chicago.

Lux Theatre First

IN A NATIONAL poll conducted among 16,000 high school students all over the country by the Camp Fire Girls, CBS *Lux Radio Theatre* was voted the favorite program, with NBC's Bob Hope, *The Aldrich Family* and Jack Benny as runners up. The Camp Fire Girls found that high school students listen on the average of one to two hours daily, and that drama, dance music, variety and comedy programs are preferred to quiz, talks or forum broadcasts.

Joins Gillette

JAY W. WRIGHT, assistant chief engineer of KSL, Salt Lake City, on June 1 will join the consulting engineering firm of Glenn D. Gillett & Associates, Washington, as senior engineer. He will replace William E. Plummer, for eight years associated with Mr. Gillett, who has been called to active duty in the Army Signal Corps with rank of First Lieutenant. Lieut. Plummer is stationed at Fort Meade, Md.

Adam Hat Spots

ADAM HAT STORES, New York, is using one-minute transcribed announcements placed locally through its dealers emphasizing the phrase "Styled in the South American Way" for its summer line of hats. Also carrying out the good neighbor" theme have been announcements by Bill Stern and Sam Taub on the last few NBC-Blue broadcasts of the Adam Hat fight series, which are shortwaved to South America on WRCA and WNBI, NBC's international stations. Agency is Glicksman Adv. Co., New York.

CBS Buys Name

ALTHOUGH CBS has incorporated a new subsidiary company, Columbia Music Publishing Corp., in New York, the network has explained that it has no intention of entering the music publishing field. Move was purely protective, according to Ralph Colin, CBS counsel. He explained that after CBS had entered the recording field and organized Columbia Recording Corp., it found a certain amount of confusion arising from the existence of a Columbia Music Publishing Co. which people frequently assumed was owned by CBS although there was in reality no connection. To eliminate this confusion and to prevent recurrence in the future, CBS arranged with the owner of the publishing company for him to change its name, making the "Columbia" available for CBS, following which the dummy corporation was set up.

Radio Advertisers

FIRST FEDERAL Savings & Loan Assn. of Hollywood (investments), regular user of Southern California radio, has started sponsoring for 26 weeks a weekly quarter-hour newscast featuring Clete Roberts, commentator, on KMPC, Beverly Hills, Cal. Agency is The Mayers Co., Los Angeles.

MOEWS LOEW SEED CO., Granville, Ill. (M-L Improved Hybrids), on Aug. 18 starts a 26-week schedule of thrice-weekly one-minute spot announcements on WLS, Chicago, and WHO, Des Moines. Triangle Adv. Agency, Chicago, handles the account.

A. DIRKSEN & SONS, Springfield, Ill. (furniture store), has started a 13-week schedule of weekly half-hour programs, titled *Looney Auction*, on WCBS, Springfield. The series originates from the stage of the Fox Lincoln Theatre. Audience is given opportunity to bid for articles of value, displayed on the stage. Account was placed direct.

INDEPENDENT DRUGGISTS of Southern California, Los Angeles, new to radio, on May 19 started sponsoring a five-weekly quarter-hour newscast titled *Bob Green, News*, on KFWB, Hollywood. Contract is for 52 weeks. W. C. Jeffries Co., Los Angeles, has the account.

BURNS & Co., Calgary, Atla. (meat packers), has started a spot announcement campaign three times weekly on CJRC, Winnipeg, Man. Account was placed direct.

JOHN MORRELL & Co., Ottumwa, Ia. (Red Heart Dog Food), has started twice-daily, six days a week, spot announcements on CFRB, Toronto, placed by Henri, Hurst & McDonald, Chicago.

CANADIAN RAYBESTOS Co., Peterborough, Ont., has started quarter-hour transcribed dramatic shows on a number of Ontario stations. Account was placed direct.

LANGLEY, HARRIS & Co., Toronto (Kkovah Salts) has started transcribed program *Your Morning Smile* six mornings weekly on CJKL, Kirkland Lake, Ont. Account was placed by Norris-Patterson, Toronto.

NOXZEMA CHEMICAL Co., Baltimore (Noxzema cream) has renewed for 13 weeks *Quiz of Two Cities* on KFRC, San Francisco and KHJ, Los Angeles, Fridays 8-8:30 p.m. Contestants in Los Angeles and San Francisco vie against each other but do not hear the answers their opponents have given. The listening audience hears both sides, however. Reid Kilpatrick presides over the KHJ session and Mark Goodson over the KFRC group. Agency is Ruthrauff & Ryan, New York.

RADIO SPECIAL was the WFBR Handicap, run recently at the famous Pimlico track at Baltimore. Presenting the award to Jockey Kelly, who rode Abrasion, the winner, is Mrs. C. E. (Ned) Midgley, wife of the BBDO timebuyer. Looking on is Purnell Gould, WFBR commercial manager.

WILSHIRE SHIRTS, Los Angeles (men's sport shirts), user of local spot radio, on June 24 starts sponsoring a weekly half-hour quiz program titled *Play Ball* on KFWB, Hollywood, which will be remoted from stage of Paramount Theatre, Los Angeles. Contract is for 26 weeks. An audience participation show, baseball background and scoring method will be used. Agency is Hugo Scheibner Inc. Adv., Los Angeles.

BIMINI BATHS, Los Angeles (swimming pool), in a test campaign marking their first extensive use of radio, on May 4 started sponsoring for 13 weeks a weekly half-hour program on KFAC, that city. Program, under auspices of the Southern Pacific Assn. of the Amateur Athletic Union, features interviews with swimmers, coaches and AAU officials. Slogan contest is being conducted. Western Adv. Agency, Los Angeles, has the account.

JOINT SPONSORSHIP of the 13-week half-hour *Tip O' the Morning* on KNX, Hollywood, begun May 24, is shared by Red & White stores, Wilmington (chain grocery); John Morrell & Co., Ottumwa, Ia., Purex Co., Los Angeles (bleach); Golden State Co., Los Angeles (dairy); Johnson, Carvell & Murphy, Los Angeles (Kellogg's Ant powder, White House coffee, Willapoint Oysters); Barbara Ann Baking Co., Los Angeles. Series, featuring Bernice Chandler, and Maurie Webster, broadcasts menus and tips on food buys. Agency is Heintz Pickering & Co., Los Angeles.

SPRAGUE-WARNER Co., Chicago (Richelieu Food Products), on May 19 started six-weekly announcements on WBBM, same city. During the week of May 26 firm started a 52-week schedule of 12-weekly station break announcements on WGN, Chicago. Agency is Newby, Perron & Fliteraft, Chicago.

W. D. SETHNESS Co., Chicago (Twang root beer), on May 26 started a five-week test campaign of five-weekly one-minute spot announcements on KDTH, Dubuque, Ia. Agency is Martin A. Pokrass Adv., Chicago. Dubuque Star Brewing Co., Dubuque, on May 4 started a 52-week schedule of six-weekly quarter-hour sports broadcasts on KDTH. Swiss Chalet Cosmetic Co., Dubuque, on May 4 started a 13-week schedule of five-weekly quarter-hour programs; account placed direct.

INTERSTATE BAKERIES Corp., Tuscola, Ill. (Schulze's Butter-Nut bread), has contracted for 702 spot announcements on WDZ, Tuscola. Contract runs to Dec. 27. Agency is R. J. Potts & Co., Kansas City.

WANDER Co., Chicago (Ovaltine) on June 30 starts a 10-day test campaign of five-weekly 100-word announcements on KZRH, Manila, P. I. Agency is Blackett-Sample-Hummert, Chicago.

HAUSER FOOD PRODUCTS Co., Santa Monica (Hauser Brand sauce), new to radio, on June 4 starts a weekly quarter-hour series *Boulevard Interviewer* on KNX, Hollywood. Contract is for 52 weeks. Frank Goss will conduct informal interviews. Agency is McElroy Adv. Agency, Los Angeles.

STARR PEN Co., Chicago (Waltham Pen), on May 26 started a 13-week schedule of thrice-weekly quarter-hour programs titled *The Radio Pen Man* on WENR, Chicago. The series features news by Durward Kirby. Since last August sponsor has used a varying number of stations, which sometimes ran as many as 250, on a national spot basis, to promote its product. Agency is United Adv. Co., Chicago.

MALCO REFINERS Inc., Artesia, N. M. (Malco Supreme gasoline), has contracted for a quarter-hour newscast, five times weekly at noon, for 52 weeks on KROD, El Paso, Texas.

WSYR

"THE OLD RELIABLE," IS GOING TO CHANGE ITS VOICE!

5000 WATTS

(AUTHORIZED)

DAY AND NIGHT

WSYR

SYRACUSE, N. Y.

N.B.C.

5000 W. (AUTHORIZED) 570 K.C.

AN H. C. WILDER STATION • REPRESENTED BY RAYMER

THE VALUE OF INFORMATION IS MEASURED BY ITS RELIABILITY

JOHN BLAIR & COMPANY

National Representatives of Radio Stations

WFMJ

Youngstown's Favorite Station

A Hooper-Holmes survey shows that WFMJ has more listeners than any other station heard in the Youngstown district.

50,000 WATTS - CBS
425,683 Listening Families*

KWKH

SHREVEPORT
LOUISIANA

Dominant Coverage in the Central Southwest

Branham Co. - Representatives

*CBS Audit of Nighttime Coverage

Summertime sales up!

KHJ summer business tops its record-breaking winter schedule! KHJ leads its nearest network competitor 2½ to 1 in regional and local business!

MUTUAL DON LEE

KHJ

LOS ANGELES, CALIF.

(U.P.)

THE MARK
OF ACCURACY, SPEED
AND INDEPENDENCE IN
WORLD WIDE NEWS
COVERAGE

UNITED PRESS

The Pioneer Voice of Kansas

KFBI

5000 day
1000 nite
1070 Kc.

WICHITA

IMA Fact Finding

(*Continued from page 18*)

Lynchburg, Va. Two other committee members, from the Southwest and the East, are to be named.

In a May 20 letter to BROADCASTING Mr. Johnson commented:

"This meeting of Mutual affiliates was announced by Neville Miller in open convention with no intimation that it was to be a 'rump' session of MBS members. In fairness to the majority of those who attended, including Steve Cisler, we don't think such purpose or impression prevailed.

In support of this statement we cite the fact that there were a number present who voted favorably in the Saturday meeting of Mutual affiliates at the Chase hotel in support of Fred Weber and Mutual's leadership, and who still feels that way about the network-ASCAP action. We were one of those who declared and voted their faith in Mutual's active leadership and we have not changed.

No Reflection

"This is no way meant as a reflection upon those who voted otherwise. We are sure they voiced their sincere convictions, a right which everyone must be accorded. We do not question their motives or sincerity of purpose.

"However, our position in the meeting at St. Louis, outside the meeting in our expressions to Mr. Cisler and others, and our position now, is simply this:

"We favor a Mutual affiliates' organization if it is to be constructive in purpose and practice for Mutual, and if it will be accepted and recognized by Mutual's active leadership as a definite and important part of the Mutual system. We believe such an organization can be constructive and beneficial to the network if properly directed and operated, and in the formation of such an organization we will expend both time and money."

"If, on the other hand, the organization is to be an inquisitorial body, obsessed by the idea that Mutual's leadership betrayed or 'sold us down the river' in the ASCAP matter, then we want no part of it because it cannot accomplish constructively and must inevitably lead to a rift of more or less serious proportions in the Mutual network. We are ready and willing to fight in a just cause, but we attempt to keep our feet on the ground and try honestly to see things from a constructive viewpoint despite our sometimes biased personal feelings.

"The Mutual-ASCAP contract is an accomplished fact. The subject of ASCAP, as touchy as it was and is to the rank and file of broadcasters including ourselves, was found to arouse controversy and bitterness of spirit and opinion. However, we believe every Mutual member in attendance at the St. Louis meetings, is loyal at heart to the Mutual network, and desires, above all differences of opinion, that Mutual continue to go forward to exceed even its previous brilliant record of accomplishment.

Loyalty to Mutual

"Upon that foundation of loyalty there can be a definite place in the network picture for an organization of Mutual affiliates, banded together for close cooperation with Mutual's active leadership. Had there been such an organization prior to the ASCAP negotiations, we believe much of the regrettable controversy that occurred might have been avoided and the entire matter settled without public manifestation of strong differences of opinion in the Mutual family."

Robert Arden Cited

ROBERT ARDEN, KFWB, Hollywood, news commentator, is scheduled to appear before United States immigration officials within a few weeks, after being taken into custody recently on charges of illegal entry into this country from Australia, and released the following day on bond. Arden, whose real name is Rudolph Kliger, came to the United States seven years ago on a visitor's visa after dissolvement of Austria by Germany.

Midwest Spots

SCHOENHOFEN - EDELWEISS Co., Chicago (beer), on May 15 started a varying schedule of five to six-weekly live announcements on five stations. Contracts are for 13 weeks. Stations are WMRO, Aurora; WROK, Rockford; WCBS, Springfield, Ill.; WJOB, Hammond, Ind.; WRJN, Racine, Wis. On March 17, firm started 10-weekly spot announcements on WMAQ, Chicago. Western Adv. Agency, Chicago, handles the account.

JAMES GALAN Co., Chicago (Bathritus), has renewed its thrice-weekly quarter-hour live talent programs on KWTO, Springfield, Mo.; KOAM, Pittsburgh, Kan.; KMMJ, Grand Island, Neb. Agency is United Adv. Co., Chicago.

AFRA Adds in L. A.

NEGOTIATIONS for signature of two more stations with American Federation of Radio Artists, Los Angeles local, were culminated during May, making a total of nine AFRA stations in that area. KFAC, Hollywood, operated by Los Angeles Broadcasting Co., contracted with the union early in the month, while KMTR, that city, through KMTR Radio Corp., joined on May 21. Agreement stipulates wage increases as well as inclusion of local and sustaining codes. Long Beach, Cal., stations, KFOX KGER and Los Angeles stations, KRKD, KFVD have not yet signed with AFRA.

Mattress News

MOHAWK BEDDING Co., Chicago (Mohawk mattress), on May 19 started a 52-week schedule of thrice-weekly quarter-hour news broadcasts by Alois Havrilla on WOR, New York. Agency is Schwimmer & Scott, Chicago.

CALIFORNIA SPRAY CHEMICAL Corp., Richmond, Cal. (insecticides), recently started three participations weekly on the *Farm Journal*, conducted by Austin Fenger on KSFO, San Francisco. Agency is Long Adv. Service, San Francisco.

in the CONTROL ROOM

W. H. MOFFAT, CBS shortwave engineer, is traveling down the western coast of South America on an inspection tour of technical facilities of the CBS Latin American affiliates preliminary to inauguration of service in the fall.

FRED PETERSON, formerly of WJSV, Washington, and Edward Meyer and Walter C. Ward, both new to radio, have joined the engineering staff of WINX, Washington, replacing Carson Andrick, Max Epstein and Bernard Rosenberg, all resigned.

THOMAS H. PHELAN, audio facilities engineer of NBC, New York, is in San Francisco in connection with the new NBC building.

GENE CLARK, formerly of WTRY, Troy, N. Y., Daniel Ehrenreich, formerly of WNYC, New York, Elroy Grosman and Harry L. Bryant, graduates of RCA Institute, have joined the engineering staff of WOR, New York, as summer replacements.

HENRY BRODERICK Jr. has joined the engineering staff of WDRC, Hartford, succeeding Perry Brumfield, who joined CBS.

JOHN NEUBAUER Jr. has joined the engineering staff of KLZ, Denver.

Engineer Arrested

JAMES A. MURPHY, 38, master control operator of the Toronto studios of the Canadian Broadcasting Corp., was arrested May 23 by the Royal Canadian Mounted Police on charges of breach of Defense of Canada Regulations. As customary, no statement was issued by the authorities as to the alleged offenses committed. Several pamphlets and a book were taken by the RCMP from his home following his arrest, it was learned. The Assn. of Technical Employes, which has members in Toronto, Ottawa and Vancouver, called a conference in Toronto immediately following the arrest, but no statement was issued.

Hams to Continue

FOR the first time in 15 years the 2,400 amateur radio operators in the Army Amateur Radio System will continue to operate throughout the summer instead of closing their season on the last Monday in May as has been the custom. Opening the summer season members of the American Radio Relay League will participate June 2 in the AARL annual field day during which a contest to test the proficiency of operators in contacting one another during times of national emergency will be conducted.

WOR Technical Manuals

SO MANY REQUESTS from stations, publications and individuals have been received by WOR, New York, for copies of the Routine Operating manuals devised and used by the station, that Charles Singer, technical supervisor in charge of WOR's transmitter and New Jersey operations, has announced the four manuals will be compiled into one volume for commercial distribution.

GIL BAYEK, announcer of WDRC Hartford, on June 8 is to become program manager of W47A, new FM station at Schenectady, N. Y.

ASCAP Supreme Court Decision

(*Continued from page 12*)

"Such an argument rests upon a mistaken premise," the court said. Then in a footnote, it pointed out that it had been referred to the ASCAP consent decree, the theory being that the decree might have some bearing upon the State's power to pass the legislation under attack. "But it has not," said the court. "In matters relating to purely intra-state transactions, the State might pass valid regulations to prohibit restraint of trade even if the Government had no law whatever with reference to similar matters involving interstate transactions.'

"We find nothing in the copyright laws which purports to grant to copyright owners the privilege of combining in violation of otherwise valid state or Federal laws," said the opinion. "We have, in fact, determined to the contrary with relation to other copyright privileges." The court added that it could find nothing either in the language of the copyright laws or in the history of their enactment to indicate any Congressional purpose to deprive the States, either in whole or in part, of their long recognized power to regulate combinations in restraint of trade.

The Act Applies

Under the findings of the lower court, said Associate Justice Black, ASCAP "comes squarely within the definition of the combinations prohibited by Section 1 of the 1937 Act." Since under the record and findings in the case ASCAP is an association within the meaning of the Florida statute, the court said it was not called upon at its instance to pass upon the validity of other provisions contained in the numerous clauses, sentences and phases of the 1937 or 1939 Florida acts which might cover other combinations.

"It is enough for us to say in this case," the opinion concluded, "that the phase of Florida's law prohibiting activities of those unlawful combinations described in Section 1 of the 1937 act does not contravene the copyright laws of the Federal Constitution; that particular attacks upon other specified provisions of the statutes involved are not appropriate for determination in this proceeding; that the court below erred in granting the injunction; and that the bill should have been dismissed.

"All other questions remain open for consideration and disposition in appropriate proceedings. For the reasons given, the judgment below in No. 610 (Florida vs. ASCAP) is reversed and the cause is remanded to the lower court with instructions to dismiss the bill. The judgment in No. 611 (ASCAP against Florida) is affirmed."

A Similar Case

In the Nebraska case, Justice Black said most of the questions presented are the same as those raised in the Florida cases. In this case, it was pointed out, at the request of ASCAP, the three-judge court enjoined various State officials from enforcing the statute aimed primarily at price-fixing combinations operating in the field of public performance of copyrighted music. The opinion concluded:

Here, as there, the court below found that threats had been made, that some of the sections of the act were invalid, that the invalidity of those sections permeated the whole, and that the State officials should be enjoined from enforcing any of the numerous provisions of the act. But, as in the Florida case, the court below proceeded on a mistaken premise as to the role a federal equity court should play in enjoining state criminal statutes. Here, there was no more of a showing of exceptional circumstances, specific threats, and irreparable injury than in the Florida case. In his brief in this court, the Attorney General of Nebraska stated that "Appellants, as law enforcement officers, sincerely hope that no action under this law will be required. None was threatened before nor since the suit was started."

With one possible exception, the record bears out the statement of the Attorney General; there was no evidence whatever that any threats had been made, but in his answer, the Attorney General stated that he would "enforce the act against the complainant society . . . [if] the complainant society would operate in the State of Nebraska in violation of the terms of the statute by conniving and conspiring to fix and determine prices for public performance of copyrighted musical compositions . . . ." As we have just held in *Watson vs. Buck*, it was error to issue an injunction under these circumstances.

In other material respects also, this case is like the Florida case. The court below failed to pass on what we consider the heart of the statute because of what it regarded as the pervading vice of the invalid sections. But section 12 of the Nebraska statute is similar to section 12 of the Florida statute and provides that "if any section, subdivision, sentence or clause in this Act shall, for any reason, be held void or non-enforceable, such decision shall in no way affect the validity of enforceability of any other part or parts of this Act."

The legislative will is respected by the Supreme Court of Nebraska, and the court below should have followed state law in this regard. That part of the statute on which the court did not pass—and the part which the Attorney General said he stood willing to enforce if violated—set up a complete scheme for the regulation of combinations controlling performing rights in copyright music. On the authority of *Watson vs. Buck*, the decision below is reversed and the cause is remanded with instructions to dismiss the bill.

FOR CONTRIBUTING MOST to the annual Shreveport C. of C. Goodwill Tour, Jerry Bozeman, KTBS-KWKH sportscaster received the coveted annual award.

FOLK SONG SERIES AVAILABLE ON DISC

A SERIES of 10 recorded programs, explaining and illustrating the folk songs of the American people as they are sung by the people themselves, has been prepared by the Radio Research Project of the Library of Congress, and made available to stations and educational and cultural groups. The release of these programs affords the public an opportunity to hear for the first time actual field recordings of American folk music made for the Library's Archive of American Folk Song.

Narrated by John A. Lomax, honorary curator of the Archive, the series has been given the title, *The Ballad Hunter*, and reveals some of Mr. Lomax's experiences during the 30 years he has been collecting recordings of American Folk music for the Library.

The recordings of *The Ballad Hunter* will be distributed by the Federal Education Committee, U. S. Office of Education, Washington. The series consists of five 16-inch, double-face records with a 15-minute program on each side. It will be distributed at approximately $2.50 a disc, or $1.25, a program.

This is the second recorded series to be released by the Library since the establishment of its Radio Research Project in January.

LIMA
A Fort Industry Market

GAFF

Might be good
For a laugh;
But it's no help
To the business
graph.
But take the chaff
Out of gaff
Give 'em
The whole grain;
Then watch business
Gain.
That's radio's
Province:
Gaff, no chaff,
Some laugh,
Notes and news.
(Saith the sponsor,
"Goodbye, blues")

Play a Trump on the Summer Slump

with

A FORT INDUSTRY STATION

N. B. C. Affiliation

WLOK

LIMA, OHIO

KIDO
Boise

NBC Red and Blue

JOHN BLAIR & CO.
Nat. Reps.

Merchandise, Popularize, Publicize
Your Products Via
KIDO
Boise, Idaho
Idaho's Most Progressive Station

TEXT OF THE SUPREME COURT DECISION IN THE ASCAP CASE

FOLLOWING is the full text of the decision of the Supreme Court of the United States on the appeals of the State of Florida versus ASCAP, decided unanimously May 26 by the tribunal holding ASCAP to be a price-fixing combination in restraint of trade. (A similar conclusion was reached in the case of the State of Nebraska against ASCAP, decided the same day).

SUPREME COURT OF THE UNITED STATES.

Nos. 610, 611. October Term, 1940.

J. Tom Watson (Gibbs), individually and as Attorney General of the State of Florida, et al., Appellants, vs. Gene Buck, individually and as President of the American Society of Composers, Authors and Publishers, et al., No. 610. Gene Buck, individually and as President of the American Society of Composers, Authors and Publishers, et al., Appellants, vs. J. Tom Watson (Gibbs), individually and as Attorney General of the State of Florida, et al., No. 611. Appeals from the District Court of the United States for the Northern District of Florida. [May 26, 1941.]

Mr. JUSTICE BLACK delivered the opinion of the court.

In broad outline, these cases involve the constitutionality of Florida statutes regulating the business of persons holding music copyrights and declaring price-fixing combinations of "authors, composers, publishers, [and] owners" of such copyrights to be illegal and in restraint of trade.

The American Society of Composers, Authors & Publishers (ASCAP), one of the appellants in No. 611 and one of the appellees in No. 610, is a combination which controls the performance rights of a major part of the available supply of copyrighted popular music. The other appellants in No. 611 (appellees in No. 610) are individual composers, authors and publishers of music controlled by ASCAP. The appellees in No. 611 (appellants in No. 610) are the Attorney General and all the state prosecuting attorneys of Florida who are charged with the duty of enforcing certain parts of the statutes in question.

These two cases were originally a single action, in which ASCAP and its co-parties sought to enjoin the state officials from enforcing a 1937 Florida statute.[1] A Federal district court, composed of three judges under § 266 of the Judicial Code, granted a temporary injunction, and this Court affirmed without passing upon the merits of the constitutional questions involved. *Gibbs* v. *Buck*, 307 U. S. 66. A supplemental bill of complaint was then filed, asking that the three judge court enjoin a 1939 Florida statute relating to the same subject.[2]

On final hearing, the three judge court again enjoined the state officials from enforcing any part of the 1937 statute, but granted the injunction only as to certain sections of the 1939 act. 34 F. Supp. 310. No. 611 is an appeal by ASCAP and its co-complainants from the refusal to enjoin the state officials from enforcing the remainder of the 1939 act. No. 610 is an appeal by the state officials from the order granting the injunction as to the 1937 act and as to certain sections of the 1939 act.

The court below, without passing at all upon the validity of 13 out of the 21 sections and subsections of the 1937 act, held that the remaining eight sections deprived copyright owners of rights granted them by the Federal copyright laws, and that the statute must fall in its entirety. This it did upon the premise that the sections held invalid and the other parts of the bill were intended by the Florida Legislature to form "a harmonious whole" and to "stand or fall together." The ultimate questions involved are such that we must first determine whether this ruling was correct. We hold that it was not, for the following reasons.

The Florida Legislature expressed a purpose directly contrary to the District Court's finding. For what the Legislature intended in this regard was spelled out in section 12 of the Act in the clear and emphatic language of the Legislature itself. That section reads:

> If any section, sub-section, sentence, clause or any part of this Act, is for any reason, held or declared to be unconstitutional, imperative [sic] or void, such holding or invalidity shall not affect the remaining portions of this Act; and it shall be construed to have been the legislative intent to pass this Act without such unconstitutional, inoperative or invalid part therein; and, the remainder of this Act, after the exclusion of such part or parts, shall be held and deemed to be valid as if such excluded parts had not been included herein.

This is a flat statement that the Florida Legislature intended that the Act should stand and be enforced "after the exclusion of such part or parts" as might be held invalid. Unless a controlling decision by Florida's courts compels a different course, the Federal courts are not justified in speculating that the State Legislature meant exactly the opposite of what it declared "to have been the legislative intent." But the Supreme Court of Florida recognizes and seeks to carry out the legislative intent thus expressed.

Speaking of a similar severability clause of another statute, that court said: "The Act as a whole evinces a purpose on the part of the Legislature to impose a license tax on chain stores and Section 15 provides that if any section, provision or clause thereof, or if the Act as applied to any circumstance shall be declared invalid or unconstitutional such invalidity shall not affect other portions of the Act held valid nor shall it extend to other circumstances not held to be invalid.

Under the liberal terms of Section 15 it may be reasonably discerned that the Legislature intended that the Act under review should be held good under any eventuality that did not produce an unreasonable, unconstitutional or an absurd result. . . . The test to determine workability after severance and whether the remainder of the Act should be upheld rests on the fact of whether or not the invalid portion is of such import that the valid part would be incomplete or would cause results not contemplated by the Legislature." *Louis K. Liggett Co.* v. *Lee*, 109 Fla. 477, 481.

Measured by this test the court below was in error, for there can be no doubt that Section 1 and the other sections upon which the court failed to pass are complete in themselves; they are not only consistent with the statute's purpose but are in reality the very heart of the Act, comprising a distinct legislative plan for the suppression of combinations declared to be unlawful. For as pointed out by the court below, the sections that were not passed on are those which outlaw combinations to fix fees and prescribe the means whereby the legislative proscription against them can be made effective.[3] Since, therefore, that phase of the Act which aimed at unlawful combinations is complete in itself and capable of standing alone, we must consider it as a separable phase of the statute in determining whether the injunction was properly issued against the state officials.

As a matter of fact, as the record stands the right of ASCAP[4] and its co-complainants to an injunction depends upon this phase of the statute and is not to be determined at all by the validity or invalidity of the particular sections which the court below thought inconsistent with the Federal Constitution and the copyright laws passed pursuant to it. The ultimate determinative question, therefore, is whether Florida has the power it exercised to outlaw activities within the state of price fixing combinations composed of copyright owners. But before considering that question it is necessary that we explain why we do not discuss, and why an injunction could not rest upon, any other phase of Florida's statutory plan.

Defendants in the injunction proceedings are the State's Attorney General, who is charged with the responsibility of enforcing the state's criminal laws, and all of the State's prosecuting attorneys, who are subject to the Attorney General's authority in the performance of their official duties. Under the statutes before us, it is made the duty of the State's prosecuting attorneys, acting under the Attorney General's direction, to institute in the State courts criminal or civil proceedings. The original bill alleged that the defendants had threatened to—and would, unless restrained—enforce the 1937 statute "in each and all of its terms and the whole thereof, and particularly against these complainants and others similarly situated . . ." and that as a consequence complainants would suffer irreparable injury and damages.

The supplemental bill contained similar allegations as to the 1939 Act. Both bills were drawn upon the premise that complainants were entitled to an injunction restraining all the State's prosecuting officers from enforcing any single part of either of the two acts, civilly and criminally; and Sections 10-A, 10-B, 11-A and 11-B, prescribing procedure under it." 34 F. Supp. 516. With the possible exception of section 3, nowhere in the course of the opinion were any of these sections held invalid.

[1] Fla. Laws 1937, ch. 17807.

[2] Fla. Laws 1939, ch. 19653.

[3] The Court said:

> "There remain: Sections 1, 2-C and 3, in effect declaring ASCAP and similar societies illegal associations, outlawing its arrangements for license fees, and proscribing and making an offense, attempts to collect them; Section 7-B making persons, acting for such a combination, agents for it and liable to the penalties of the Act; Section 8 fixing the penalties; Section 9 giving the state courts jurisdiction to enforce the Act,

[4] The Secretary of State and the State Comptroller were added as parties defendant by a "Further Supplemental Bill of Complaint" filed October 19, 1939. The ground given by the complainants for adding parties was that certain duties were imposed on these officials by the 1939 act. The duties, however, required only that certain fees be collected, and not that actions be brought to enforce the law.

In the course of this litigation, Florida has had three Attorneys General. The present Attorney General took office on January 7, 1941, and all the parties have joined in a motion to substitute him as a defendant in place of his predecessor in office. There is no objection to the substitution, and the motion is granted.

IT'S BIG!
THE MAGIC CIRCLE
SOON—
5000 richly laden watts night and day to serve the Magic Circle — richest and most populous in all the Southeast!
Columbia Broadcasting System affiliate.
EDNEY RIDGE DIRECTOR
WBIG
GREENSBORO, N.C.
GEO. P. HOLLINGBERY · CO., NAT. REP.

COVERAGE

CJOR's 1000 Watts on 600 K.C. are doing a "real job" for our scores of leading national accounts.

CJOR
Vancouver, B. C.

National Representatives
J. H. McGillvra (U. S.)
H. N. Stovin (In Canada)

WBNX NEW YORK
ONE OF NEW YORK'S BEST KNOWN STATIONS FOR IT'S Intimate PROGRAM APPEAL TO AMERICA'S LARGEST MARKET
5000 WATTS Directional
OVER METROPOLITAN NEW YORK

the lengthy statutes, under any circumstances that could arise and in respect to each and every one of the multitudinous regulations and prohibitions contained in those laws. In their answers, the State's representatives specifically denied that they had made any threats whatever to enforce the acts against complainants or any one else. In their answer to the supplemental bill, however, they said that they would perform all duties imposed upon them by the 1939 Act.

The findings of the court on this subject were general, and were to the effect that "Defendants have threatened to and will enforce such State Statutes against these Complainants and others similarly situated in the event that such Complainants and others similarly situated refuse to comply with said State Statutes or do any of the acts made unlawful by said State Statutes." It is to be noted that the court did not find any threat to enforce any specific provision of either law. And there is a complete lack of record evidence or information of any other sort to show any threat to prosecute the complainants or any one else in connection with any specific clause or paragraph of the numerous prohibitions of the acts, subject to a possible exception to be discussed later.

The most that can possibly be gathered from the meager record references to this vital allegation of complainants' bill is that though no suits had been threatened, and no criminal or civil proceedings instituted, and no particular proceedings contemplated, the State officials stood ready to perform their duties under their oath of office should they acquire knowledge of violations. And as to the 1937 Act, the State's Attorney General took the position from the very beginning, both below and in this court, that under his construction of the earlier act no duties of any kind were imposed upon him and his subordinates except with relationship to prohibited combinations of the type defined in Section 1.

Federal injunctions against State criminal statutes, either in their entirety or with respect to their separate and distinct prohibitions, are not to be granted as a matter of course, even if such statutes are unconstitutional. "No citizen or member of the community is immune from prosecution, in good faith, for his alleged criminal acts. The imminence of such a prosecution even though alleged to be unauthorized and hence unlawful is not alone ground for relief in equity which exerts its extraordinary powers only to prevent irreparable injury to the plaintiff who seek its aid." *Beal* v. *Missouri Pacific Railroad Corp.*, 312 U. S. 45, 49.

A general statement that an officer stands ready to perform his duty falls far short of such a threat as would warrant the intervention of equity. And this is especially true where there is a complete absence of any showing of a definite and expressed intent to enforce particular clauses of a broad, comprehensive and multi-provisioned statute. For such a general statement is not the equivalent of a threat that prosecutions are to be begun so immediately, in such numbers, and in such manner as to indicate the virtual certainty of that extraordinary injury which alone justifies equitable suspension of proceedings in criminal courts.

The imminence and immediacy of proposed enforcement, the nature of the threats actually made, and the exceptional and irreparable injury which complainants would sustain if those threats were carried out are among the vital allegations which must be shown to exist before restraint of criminal proceedings is justified. Yet from the lack of consideration accorded to this aspect of the complaint, both by complainants in presenting their case and by the court below in reaching a decision, it is clearly apparent that there was a failure to give proper weight to what is in our eyes an essential prerequisite to the exercise of this equitable power. The clear import of this record is that the court below thought that if a Federal court finds a many-sided State criminal statute unconstitutional, a mere statement by a prosecuting officer that he intends to perform his duty is sufficient justification to warrant the Federal court in enjoining all State prosecuting officers from in any way enforcing the statute in question.

Such however, is not the rule. "The general rule is that equity will not intertere to prevent the enforcement of a criminal statute even though unconstitutional. . . . To justify such interference there must be exceptional circumstances and a clear showing that an injunction is necessary in order to afford adequate protection of constitutional rights. . . . We have said that it must appear that 'the danger of irreparable loss is both great and immediate'; otherwise the accused should first set up his defense in the State court, even though the validity of a statute is challenged. There is ample opportunity for ultimate review by this Court of Federal questions." *Spielman Motor Sales Co.* v. *Dodge*, 295 U. S. 89, 95-96.

Such "exceptional circumstances" and "great and immediate" danger of irreparable loss were not here shown. Tested by this rule, therefore, and with the possible exception of that phase of the statute outlawing Florida activities by combinations declared unlawful in Section 1 of the 1937 Act (which we shall later consider separately), neither the findings of the court below nor the record on which they were based justified an injunction against the State prosecuting officers.

In addition to the fact that the situation here does not meet the tests laid down in the decided cases, the very scope of these two statutes illustrates the wisdom of a policy of judicial self restraint on the part of Federal courts in suspending State statutes in their entirety upon the ground that a complainant might eventually be prosecuted for violating some part of them. The Florida Supreme Court, which under our dual system of government has the last word on the construction and meaning of statutes of that State, has never yet passed upon the statutes now before us. It is highly desirable that it should have an opportunity to do so.[5] There are 42 separate sections in the two acts.

While some sections are repetitious, and while other sections are unimportant for present purposes, there are embraced within these two acts many separate and distinct regulations, commands and prohibitions. No one can foresee the varying applications of these separate provisions which conceivably might be made. A law which is constitutional as applied in one manner may still contravene the Constitution as applied in another. Since all contingencies of attempted enforcement cannot be envisioned in advance of those applications, courts have in the main found it wiser to delay passing upon the constitutionality of all the separate phases of a comprehensive statute until faced with cases involving particular provisions as specifically applied to persons who claim to be injured. Passing upon the possible significance of the manifold provisions of a broad statute in advance of efforts to apply the separate provisions is analogous to rendering an advisory opinion upon a statute or a declaratory judgment upon a hypothetical case.

It is of course conceivable that a statute might be flagrantly and patently violative of express constitutional prohibitions in every clause, sentence and paragraph, and in whatever manner and against whomever an effort might be made to apply it. It is sufficient to say that the statutes before us are not of this type. Cases under the separate sections and paragraphs of the acts can be tried as they arise—preferably in the State courts. Any Federal questions that are properly presented can then be brought here. But at this time the record does not justify our passing upon any part of the statute except, possibly, that phase which prohibits activities in Florida by combinations declared unlawful. While the proof and findings in this regard are not as clear and specific as they might and should be, we nevertheless, under the circumstances of this case, proceed to this ultimate and decisive question.

In the consideration of this case, much confusion has been brought about by discussing the statutes as though the power of a State to prohibit or regulate combinations in restraint of trade was identical with and went no further than the power exercised by Congress in the Sherman Act. Such an argument rests upon a mistaken premise.[6] Nor is it within our province in determining whether or not this phase of the State statute comes into collision with the Federal Constitution or laws passed pursuant thereto to scrutinize the Act in order to determine whether we believe it to be fair or unfair, conducive to good or evil for the people of Florida, or capable of protecting or defeating the public interest of the State.[7] These questions were for the Legislature of Florida and it has decided them. And, unless constitutionally valid Federal legislation has granted to individual copyright owners the right to combine, the State's power validly to prohibit the proscribed combinations cannot be held non-existent merely because such individuals can preserve their property

[5] Cf., e. g., Arkansas Corporation Commission *v.* Thompson, 312 U. S. —, —; Railroad Commission of Texas *v.* Pullman Co., 312 U. S. —, —; Railroad Commission of Texas *v.* Rowan & Nichols Oil Co., 311 U. S. 570, 575; Thompson *v.* Magnolia Petroleum Co., 309 U. S. 478, 483; Ex parte Baldwin, 291 U. S. 610, 619; Gilchrist *v.* Interborough Rapid Transit Co., 279 U. S. 159, 207.

[6] We have been referred to a recent consent decree against ASCAP in the federal district court for the Southern District of New York, the theory being that the decree might have some bearing upon the state's power to pass the legislation now under attack. But it has not. In matters relating to purely intrastate transactions, the state might pass valid regulations to prohibit restraint of trade even if the federal government had no law whatever with reference to similar matters involving interstate transactions.

[7] The court below concluded as a matter of law that "enactment of the said Statute was not necessary to protect, nor does it serve the public interest of the State of Florida. . . ."

WSOY
DECATUR
ILLINOIS
SEARS AND AYER, Rep.
For a large chunk of ILLINOIS
Center of America's new big money crop—Soy Beans—which brings $32,000,000 annually. All crops total over $200,000,000. Try WSOY.
250 WATTS · 1340 · FULL TIME

BALTIMORE INSTITUTIONS:

LEXINGTON MARKET

One of the oldest public markets in the U. S.

and

WFBR

Maryland's Pioneer Broadcast Station

WFBR is Baltimore's *first* station—and Baltimore's *own* station! It is owned and operated by Baltimoreans in a distinctive "Baltimore manner". That's why it's accepted as a Baltimore institution—and that's why your radio advertising on WFBR has extra "pull"!

DAWN OF A NEW DAY
GOING MUTUAL OCT. 1

WFBR

National Representative: Edward Petry & Co.

rights better in combination than they can as individuals. We find nothing in the copyright laws which purports to grant to copyright owners the privilege of combining in violation of otherwise valid State or Federal laws. We have, in fact, determined to the contrary with relation to other copyright privileges.[8]

But complainants urge that there is a distinction between our previous holdings and the question here. This contention is based on the idea that Congress has granted the copyright privilege with relation to public performances of music, and that with reference to the protection of this particular privilege, combination is essential. We are therefore asked to conclude from the asserted necessities of their situation that Congress intended to grant this extraordinary privilege of combination. This we cannot do. We are pointed to nothing either in the language of the copyright laws or in the history of their enactment to indicate any congressional purpose to deprive the States, either in whole or in part, of their long-recognized power to regulate combinations in restraint of trade. Compare *Waters-Pierce Oil Co. v. Texas* (No. 1), 212 U. S. 86, 107.

Under the findings of fact of the court below, ASCAP comes squarely within the definition of the combinations prohibited by Section 1 of the 1937 Act. Section 1 defines as an unlawful combination an aggregation of authors, composers, publishers, and owners of copyrighted vocal or instrumental musical compositions who form any society, association, or the like and the members of which constitute a substantial number of the persons, firms or corporations within the United States who own or control such musical compositions and "when one of the objects of such combination is the determination and fixation of license fees or other exactions required by such combinations for itself or its members or other interested parties." Section 8 of the 1937 Act makes it an offense for such combinations "to act within this State in violation of the terms of this Act."

The court below found that there were 1425 composers and authors who were members of ASCAP; that the principal music publishers of the country are members; that the Society controls the right of performance of 45,000 members of similar societies in foreign countries; and that the Board of Directors of ASCAP have "absolute control over the fixing of prices to be charged for performance licenses . . ." Since under the record and findings here ASCAP is an association within the meaning of Section 1 of the 1937 Act, we are not called upon at its instance to pass upon the validity of other provisions contained in the numerous clauses, sentences, and phases of the 1937 or 1939 Act which might cover other combinations not now before us.

It is enough for us to say in this case that the phase of Florida's law prohibiting activities of those unlawful combinations described in Section 1 of the 1937 Act does not contravene the copyright laws of the Federal Constitution; that particular attacks upon other specified provisions of the statutes involved are not appropriate for determination in this proceeding; that the court below erred in granting the injunction; and that the bill should have been dismissed. All other questions remain open for consideration and disposition in appropriate proceedings. For the reasons given, the judgment below in No. 610 is reversed and the cause is remanded to the lower court with instructions to dismiss the bill. The judgment in No. 611 is affirmed. *It is so ordered.*

Mr. Justice MURPHY took no part in the consideration or decision of this case.

[8] Interstate Circuit, Inc. *v.* United States 306 U. S. 208. Cf. Fashion Originators' Guild of America *v.* Federal Trade Commission, 312 U. S. —; Ethyl Gasoline Corp. *v.* United States, 309 U. S. 436.

Guestitorial

(*Continued from page 28*)

the complete picture of the radio broadcasting industry is not given to the interested club member.

An honest-to-goodness educational presentation of radio, from all angles—public service, advertising, programming, transmission, etc.—is deeply needed. Here is where NAB could and should come in very appropriately with its sales promotion activities and produce a motion picture of radio that could be forwarded from member to member for presentation before various clubs and schools of each city, town or locality. This also would afford NAB the opportunity of explaining the NAB code to the public; something which should not be neglected for another month.

A film of this nature would offer a very interesting program, bringing out the multitude of "behind the mike" activities, copy restriction requirements, timing elements plus many other details that occur in the average broadcasting station, but remain practically unknown to the average radio listener. Persons who attend the movies regularly see news reporters and newspapers dramatized almost constantly, and maybe once in 20 trips to the theatre will the radio station get a break.

With a film, such as has been briefly outlined, we would be selling some of these big department stores on radio by interesting their advertising managers (having the advertising club in mind). In its presentation to the public, the film should depict the average broadcasting station, not the big network operation. Such a film depicting the daily routine of an average broadcasting station would do much toward education and bringing thoughts to a good number of advertising men who heretofore have concentrated on the printed word. It will show Mr. John Q. Public that the public service of his local radio is a vital necessity—that radio is daily instructing, entertaining, and selling thousands of his own community.

The film would be welcome and well received by Mr. Average Man.

Avalon Breaks

BROWN & WILLIAMSON TOBACCO Corp., Louisville (Avalon cigarettes), in mid-May started a 52-week schedule of live and transcribed chain breaks, one-minute announcements and weather reports on six stations. Announcements vary from three to five daily. Stations are WCHS, Charleston, WMMN, Fairmont, W. Va.; WWNC, Asheville, WPTF, Raleigh, N. C.; KLZ, Denver; WDBJ, Roanoke, Va. Agency is Russel M. Seeds Co., Chicago.

NBC Plans Study Of Child Programs

Seeks Solution for Problems Of Juvenile Broadcasts

NBC PROGRAM staff will explore the child program situation during the summer, with hopes of arriving at some definite conclusions to be put into effect in the fall. Juvenile shows have always been a sore point with broadcasters, since women's clubs, parent-teacher groups and other organizations have made them a target of attack on radio, usually leveling their severest criticism against the blood-and-thunder serials which are most listened to by the youngsters themselves.

Stating there has been probably too much opinion and not enough factual data proffered by both broadcasters and their critics, C. L. Menser, NBC's national production director, explained that during the coming months not only NBC's own kid shows but those broadcast elsewhere will be analyzed.

Tests Considered

Careful attention will be given, he said, to the studies made by Mrs. Dorothy Lewis, of the Radio Council on Children's Programs, who last year traveled nearly 25,000 miles in all parts of the country to gather first-hand information on this subject, and Mrs. H. V. Milligan, radio chairman of the General Federation of Women's Clubs.

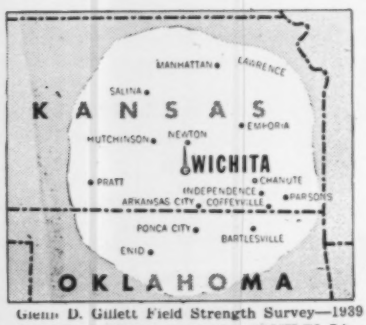
Under consideration, he said, is a plan whereby certain outstanding kids programs now broadcast on local stations would be put on the network for a test period, to see whether they would be equally popular in all parts of the country. Another experiment now being planned would test the relationship of time of broadcast to program popularity, attempting to discover if a show that pulls a large juvenile audience at 5:45 p.m. from Monday through Friday, would prove equally popular as a half-hour program broadcast once a week on either Saturday or Sunday morning.

'Kids' From Camps

MILES LABS., Elkhart, Ind. (Alka Selzter) is planning to originate several *Quiz Kids* broadcasts from Army cantonments during the summer. The *Quiz Kids*, currently on NBC-Blue, Wednesdays, at 8:30 p.m. will visit Camp Meade, Md., near Washington, D. C., in the early part of July. A special *Quiz Kids* program promoting the sale of defense savings bonds and stamps is being recorded by NBC Radio-Recording division for distribution among schools all over the country.

Take Wichita for example, out there things are booming. Last year total earned income approximated 82 million. Now, in addition to that, defense contracts for Wichita manufacturers have soared past the 93 million dollar mark—and there are more contracts coming in all the time.

That means that the average family will have even more to spend on the products you have to sell. That means that a dollar invested on KFH now has the possibilities of returning twice as much in sales as it formerly did. No doubt that is why KFH time is practically all sold—we're running 90%—for more and more smart time buyers have learned that KFH can sell Wichita and the major part of Kansas—they've found that, Dollar for Dollar—KFH is the *selling station* for Kansas.



Glenn D. Gillett Field Strength Survey—1939
Map Shows Coverage to the .1 MV/M Line

KFH
WICHITA

The Only Full Time CBS Outlet for Kansas

CBS • 5000 DAY • 5 KW NIGHT READY SOON—CALL ANY EDWARD PETRY OFFICE

KMA The Earl May Station
The Mail Station
5000 - 1000 Watts • NBC
SHENANDOAH, IOWA
Ask your Agency to ask the Colonel!
FREE & PETERS, Inc., National Representatives

AFA Meeting

(*Continued from page 9*)

tificates of honorable mention: Viola Schlacks, advertising manager, Philadelphia & Reading Coal Co.; Catherine Gunn, handling publicity for the St. Louis Board of Education; Dorothy Kennedy, copywriter, Ed. Schuster & Co., Milwaukee department store; Nan Collins, public relations director, Foundation for Clinical and Surgical Research of Philadelphia.

Miss Adams' prize-winning entry included radio copy for Pet Milk, newspaper and magazine copy for Ry-Crisp, medical copy for Ry-Crisp and Ralston, and magazine copy for Stokely's Foods.

Boston broadcasters cooperated to furnish the convention's entertainment, with the broadcasters' party on Tuesday evening as the festive high spot of the week's doings. Kingsley F. Horton, commercial manager of WEEI, was party chairman, Avner Rakov, musical director of WBZ, directed an orchestra comprising staff musicians from WBZ, WEEI and WNAC, and Andy Jacobson, musical director of WNAC, led the dance band. Carl Moore, WEEI, m.c.'d the floor show, which featured talent from that station, WMEX, WBZ and CBS.

Foreign Pickups

Roy Harlow, manager of WAAB and WNAC, directed the Metropolitan Singers, a chorus of about 100 Boston businessmen, in a Sunday evening concert. At the general luncheon session on Wednesday, A. A. Schechter, NBC director of news and special events, conversed with that network's correspondents in belligerent capitals, who brought the convention last-minute news of the war and who answered delegates' questions about conditions abroad, as far as censorship limitations permitted.

A number of the convention's addresses were broadcast, beginning with that of I. S. (Stick) Randall, assistant to the board chairman of Transcontinental & Western Air and president of the Advertising Club of New York, on Sunday afternoon to the Crosscup-Pishon (ad men's) Post of the American Legion, which was carried by MBS. The Advertising Town Meeting, Monday noon, was broadcast by NBC-Blue.

WBZ broadcast the address of Grove Patterson, editor of the *Toledo Blade*, at the convention banquet Monday evening, carried a quarter-hour interview with AFA officials on Sunday afternoon and another interview with Mary Barber, food consultant of the U. S. Army, on Tuesday morning, preceding her address at the consumers luncheon.

WBZ also provided the cleverest souvenirs of the convention by installing an artist near the registration desk, where he cut silhouttes of delegates and pasted them into a folder titled "Speaking of Maps" and containing a coverage map of WBZ-WBZA as well as that of the delegate.

ILLINOIS STATE OFFICIALS aided in commemoration of the 2,000th consecutive broadcast of *Bradford's Official Street Forum of the Air* on WCBS, Springfield, Ill. Taking part were (l to r) Harry S. Bradford, sponsor; Dwight H. Green, Governor of Illinois, who conducted interviews in the same fashion as has been done on the program for five years; County Recorder Paul Weidenbacher; Stretch Miller, chief and special events announcer of WCBS, who acted as m.c.; State Treasurer Warren Wright; Mrs. Bradford; Mayor John W. Kapp of Springfield.

James A. Welch, vice-president of Crowell-Collier Publishing Co., was elected AFA president for the year. Other officers are: Vice-presidents, Ray Maxwell, Missouri Pacific Lines; Tom Nokes, Poster Adv. Co., Johnstown, Pa.; Forbes Mackay, Southern Farmer Agriculturist; secretary, Mable G. Flanley, Borden Co., New York; treasurer, Robert S. Peare, manager publicity department, General Electric Co. and WGY; chairman of the board, Elon G. Borton, Lasalle Extension U and past president of AFA.

Wages in Vacation Clarified by Ruling

Pay for Vacation Time Held Not to Affect Overtime

AN EMPLOYE'S pay for vacation time does not constitute payment for hours worked and does not affect the regular rate of pay upon which overtime is to be computed under the Fair Labor Standards Act, according to an opinion announced last Wednesday by Gen. Philip B. Fleming, administrator of the Wage & Hour Division of the Labor Department. This interpretation applies even when the employe works through the vacation period and receives his vacation pay in addition to his earnings, Gen. Fleming stated.

The situation giving rise to the official opinion followed upon the suggestion of the office of Production Management that defense industries this year pay their employes double for foregoing vacations. In his latest opinion, Gen. Fleming rescinded his previous suggestion that the employe's regular rate of pay and overtime compensation might be increased prospectively for a period of time sufficient to net the desired amount.

"A sum paid to an employe for foregoing a vacation, which is in addition to the employe's normal compensation, is not in fact compensation for hours worked," Gen. Fleming declared. "It is a sum which, pursuant to the normal employment arrangement, the employer would pay to the employe for a period during which the employe does not work.

"The sum remains vacation pay, and, therefore, not compensation for hours worked, even if it is paid in addition to normal compensation for hours worked, when the employe foregoes his vacation. Presumably the employer would pay the employe the usual vacation pay even though the latter refused to give up his vacation. Hence, the fact that the employe chooses to stay on the job does not make the vacation pay he receives compensation for hours worked.

"It is our opinion, therefore, that if an employe's vacation pay is given him in addition to his normal earnings for hours worked, when he foregoes his vacation, such additional payment is not compensation for hours worked and does not affect the employe's regular rate of pay under the Fair Labor Standards Act."

SUBSCRIBERS to NBC *Thesaurus* are receiving a 126-page portfolio of Thesaurus programs, as issued by NBC Radio-Recording division to include the name of each recording artist or orchestra available through the Library.

Word from FDR

PRESIDENT ROOSEVELT in a letter to Paul Garrett, chairman of the Advertising Federation of America, emphasized the part advertising can play in the defense program especially in keeping up the morale of the people. He wrote in part on the occasion of the AFA convention: "As an educational force alone advertising ought to play a leading part in the preparedness program. It can assist in creating and maintaining public morale. Those who are expert in it can be of great aid to the Government."

Utility Concerns Awarded Radio Program Citations

BETTER Copy Committee of the Public Utilities Advertising Assn. made three awards for utility broadcasts at the annual AFA convention in Boston last week. The awards follow: First, to Consolidated Edison Co., New York, for *Echoes of New York;* second, to Lone Star Gas Co., Dallas, for series not named by the committee, which termed it "good chatty informal material"; third, to Louisiana Power and Light Co., New Orleans, whose program was likewise unidentified but described as "good clean" copy and a good idea.

A special citation was given the Hartford Electric Co., Hartford, Conn., for *History of Electricity*, a special events program combining the best elements of radio.

WAGE-ASCAP Pact

WAGE, Syracuse, claims to be the first individual network station to sign an ASCAP contract. Last week at the NAB convention Frank Revoir, president, and William T. Lane, manager, signed for the station while ASCAP's John Paine signed for the Society. Ceremonies, attended by Mutual and ASCAP officials, took place at the Missouri Athletic Club.

BETTER PROGRAMS—BETTER COVERAGE

560KC

WIS

NBC RED

COLUMBIA, S.C.

FREE & PETERS, Inc.

FORT JACKSON'S 40,000 MEN WITHIN 5 MILES

5000 Watts Day

1000 Watts Night

FCC Rules Simplified For Those in the Army

IN VIEW of the problem facing amateur radio operators and station licensees serving with the armed forces of the nation who wish to renew their licenses the FCC May 27 issued an order amending its Rules of Practice & Procedure and its Rules Governing Amateur Radio: Stations and Operators, with reference to renewals.

Hereafter the formal application can be dispensed with by these persons and an informal application in letter form will suffice provided the letter sets forth the fact that the applicant is in the service and is accompanied by a signed statement by the applicant's immediate commanding officer verifying the fact.

Hymes Heads Club

JOHN HYMES, radio timebuyer of Lord & Thomas, New York, was elected president of the Radio Executives Club of New York at the closing meeting of the season May 28. Mr. Hymes, with Lord & Thomas for the last seven years, succeeds Arthur Sinsheimer, radio director of Peck Adv. Agency, New York. The Radio Executives Club, an outgrowth of the Broadcasters' Bull Sessions started in 1939 by Horace Hagedorn, NBC spot sales, and Al Taranto, timebuyer of Ted Bates Inc., New York, will continue its meetings next fall. Mr. Sinsheimer, as retiring president, received a radio set from members of the club.

AGMA Suit Deferred

SUIT of the American Guild of Musical Artists against the American Federation of Musicians and James Petrillo, AFM president, postponed till May 29, has again been deferred to June 5 when the opposing counsel will argue the case before the New York State Court of Appeals in Albany. AGMA is asking that the lower court verdict favoring AFM be set aside, and is seeking an injunction to restrain Mr. Petrillo from his threat to force AGMA instrumentalists to join AFM if they wish to work with AFM members on stage, screen or radio.

PRESENTED with awards for their pioneer work in broadcasting by the General Federation of Women's Clubs during the organization's golden jubilee celebration in Atlantic City, are Judith Walker, NBC public service program director in Chicago (second from right) and Margaret Cuthbert, NBC director of women's activities (right). Making the presentation is Mrs. Saidie Orr Dunbar, president of the Federation, while Mrs. Harold V. Milligan, chairman of the radio committee, observes the proceedings.

Radio Ad Problems at AFA

(*Continued from page 9*)

esting programs, with stations doing more experimenting and less imitating.

Third, he continued, once a station has a program it believes is good, it should sell that program just as aggressively to the public as it sells its station to the advertisers and agencies, using announcements and other means of building an audience for the feature.

Stations, he declared, should hunt for listeners no less energetically than they do for advertisers, for by raising the listening at any one time by 10% they make thousands of more ears available for the advertisers' messages and hence make their medium more profitable for the advertisers and easier for them to sell.

Speaking on "Chimes and Gongs in Radio Advertising," Frank E. Pellegrin, director of the NAB department of broadcast advertising, rang the gong against stations for not making radio as easy to buy as it should be. Lack of standardization on discount periods, length of announcements, particularly chain breaks, etc., make needless trouble for time buyers and so discourage the use of spot radio, he declared.

Rate Problems

Attempts to place national advertising at local rates, to get time on a per-inquiry instead of a rate card basis or to persuade stations to run as "sustaining" programs that are actually commercial likewise received the gong from Mr. Pellegrin, who berated advertisers and agencies for trying such shabby tricks and stations for falling for them.

He decried sloppily prepared commercial copy, pointing out that the time taken to retype a corrected commercial would be more than paid for by the stimulus the neat copy would be to the announcer upon whose rendition the effectiveness of the sales talk so greatly depends. He also asked advertisers and agencies not to hold up their orders or renewals until the last minute, thus inflicting needless confusion for station salesmen and representatives as to whether or not the time is available.

On the "chime" side of the picture, he cited the results that radio has produced for advertisers and offered to agencies and advertisers who can use them copies of the many success stories in the NAB files. A display of these case histories attracted considerable attention.

Rubicam Optimistic

An optimistic note for the future was sounded by Raymond Rubicam, Young & Rubicam, who spoke at the general luncheon session Wednesday. He reviewed the increase of advertising during the last war and in the years immediately following and said that in general the same trend would probably be repeated this time.

Offsetting the adverse effects of priorities on some businesses and of high taxes on all, he pointed out that last year more than 500,000 families moved out of the $1,000-a-year group into higher income brackets and estimated that in 1941 there will be 1,250,000 new families with incomes of from $1,000 to $2,000 a year to spend.

"Millions of potential new customers for advertising to educate; millions of families able to afford more than the barest necessities of life for the first time in several years," he said.

At its closing session, the Federation adopted a resolution reaffirming "the resolve of the AFA to render all assistance which this organization can give to the vital work of preparing this nation to overcome the grave perils which now threaten us."

Another resolution was adopted recognizing that "advertising faces unusual and special responsibilities in the immediate future. Normally an indispensable factor in the unparalleled freedom of choice in our market places, advertising becomes now, more than ever, a vital instrument of free economy, keeping open the flow of products and ideas."

Although expected in some quarters, there was no resolution dealing with the FCC network regulations, either from the AFA or from the radio departmental.

TREASURY DEFENSE SERIES ARRANGED

TAKING advantage of the offer by the Texas Co. of 13 one-hour periods on 85 CBS stations from July 2 to September [BROADCASTING, May 12], the Treasury Dept. has completed plans to fill the time with an all-star variety show titled *Millions for Defense*. The time contributed, Wednesdays, 9-10 p.m., will be used to promote the sale of defense bonds and stamps, with Howard Dietz, of Metro-Goldwyn-Mayer, as chairman and coordinator.

Earle McGill, CBS director, will produce the program from New York, while pickups from Washington, Chicago and Los Angeles also will be included. Guest stars will be featured, and music will be by Al Goodman's Orchestra and Ray Block's Chorus.

The time donated is the period during which the *Texaco Star Theatre* with Fred Allen goes off for the summer. According to Buchanan & Co., New York, agency in charge, Allen will return Sept. 24 for the program's fall and winter season.

WHOM Awards Razors

TO PUBLICIZE midnight *Merry-Go-Round* on WHOM, Jersey City, Joe Lang, WHOM general manager, awarded Gem electric razors to five agency men who guessed the number of calls received by George McCoy and Frank Krueger, who jointly handle the all-night recorded sessions. Al Cormier, of Feiner, Furman & Roberts, New York, won first prize, while runners-up were Emil Mogul, of the Emil Mogul Agency; John Hymes, of Lord & Thomas, New York; Ed Fitzgerald, of Erwin, Wasey & Co., New York, and Arthur Sinsheimer, of Peck Adv. Agency, New York. The stunt took place at the Radio Executives Club meeting last Wednesday.

Evans Is Honored By Westinghouse

Awarded Order of Merit for Distinguished Service

WALTER EVANS, vice-president of Westinghouse Radio Stations Inc., and manager of Westinghouse radio activities, last Wednesday was awarded the Westinghouse Order of Merit in recognition of his leadership and outstanding service in broadcasting. The award, highest employe honor conferred by Westinghouse E. & M. Co., was presented by A. W. Robertson, chairman, at the monthly meeting of the board of directors.

Mr. Evans

The medal emblematic of the award was designed by Sculptor Rene Chambellan. The citation declared: "In recognition of the distinguished service of Walter Evans, particularly for his leadership in the field of radio development—engineering, commercial, manufacturing and operation; for the soundness of his judgment and the quality of his decisions; and for the high plane on which he is personally acceptable in Government and business circles."

A Long Radio Career

Mr. Evans, who is chairman of the International Broadcasting Committee of the Defense Communications Board, was born in Columbus, O., Aug. 27, 1898, and started in radio as a youth. After naval communications service in the World War, he joined Westinghouse in 1921 as radio operator at KYW, then in Chicago and now in Philadelphia. After becoming chief engineer he was named manager of the station in 1928.

In 1933 he became manager of the Westinghouse Radio Division, covering engineering, manufacturing and sales of radio equipment. Five years later he was elected a director of Westinghouse Radio Stations Inc. In 1939 he became vice-president. He is a member of the Institute of Radio Engineers, Army Ordnance Assn. and the American Society of Naval Engineers. In 1924 he married Georgina K. Burtis, of Chicago, and has two children, Barbara Jean, 15, and Charles B., 11.

Gets Navy Publicity Post

DICK VELZ, production manager of WRNL, Richmond, Va., and a lieutenant in the Naval Reserve, has received orders to report to the naval base at Norfolk to become assistant to Lieut.-Comdr. Robert Vining, public relations officer for the Fifth Naval District. Lieut. Velz will be a member of Rear Admiral Joseph L. Taussig's pubic relations staff under the new Office of Public Relations announced May 1 by Secretary of War Knox.

DEEPLY ABSORBED in a pre-program conference for *Reg'lar Fellers*, which replaces Jack Benny on NBC-Red Sunday nights beginning June 8, are Jerry Devine, script writer; Eugene L. Bresson of the Empire Broadcasting Co., owner of radio rights to the show; Glenhall Taylor, Young & Rubicam producer, and Gene Byrnes, creator of the famous comic strip.

NBC and CBS Plan to Use Glass Base As Substitute for Aluminum Recordings

BECAUSE of Government priorities on the use of aluminum, Columbia Recording Corp., Bridgeport, Conn., announced May 26 that glass will henceforth be used as the base for its instantaneous acetate recordings as well as for discs ordered by advertising agencies and other organizations.

The glass records will be used at first on a test basis as they will be much more fragile than the aluminum recordings, which survive 40-50 playings and can be played back instantly without processing. CRC instantaneous recordings include waxings of about 1,000 CBS sustaining programs per year as piped from the network's studios to CRC studios in New York.

Smooth but Fragile

NBC, which has been working with other recording companies during the past few months on experimental acetate recordings, reports it will use up its available stock of aluminum for recordings after which it will use glass, now proved feasible for both instantaneous and other type discs it issues regularly.

NBC, experimenting with steel, bakelite plastic and glass for its recordings, finds glass the smoothest and although fragile, the best substance outside of aluminum for recordings. Currently the network is working on a container which will prove safe in which to ship out glass discs to the companies and stations subscribing to its recording service.

Ray Lyons of the recording division of WOR, New York, reports that glass has proved thoroughly satisfactory so far for the stations recordings, although engineers and other users of the discs have been warned that the glass ones are fragile. Mr. Lyons said you could drop one of the glass discs on the floor and if the lacquer with which it is covered was not cracked the record would play as well as a standard aluminum recording.

According to Ralph Powell, general sales manager of Presto Recording Co., the new glass discs are "substantially better than the previous aluminum recordings. Presto displayed its glass discs at the recent NAB convention and the station and engineer accentance of the innovation was extremely gratifying."

Cemar Test

CEMAR Co., Chicago (Renew Kit), on May 19 started a test campaign of twice-weekly participations in the *Modern Home Forum*, conducted by Jane Weston, on WOWO, Ft. Wayne, Ind. If test proves successful station list will be expanded. Agency is C. Wendel Muench & Co. Chicago.

Fight Case Hearing

DECISION was reserved May 27 in New York Supreme Court by Justice Lloyd Church following hearing of oral arguments on the motion to dismiss the complaint of NBC against MBS, Gillette Safety Razor Co., and the 20th Century Sporting Club over broadcasting rights to the prize fights under the jurisdiction of Mike Jacobs, president of the club. Attorneys for both sides are filing supporting briefs on the suit and no further date for hearing has yet been set.

ACA Signs WARM

CONTRACT covering wages, hours and working conditions for employes of WARM, Scranton, has been signed with American Communications Assn. (CIO affiliate), according to Martin F. Memolo, president of the Union Broadcasting Co., operator of the station, and Graham Dolan, ACA representative. Pact covers engineers, announcers, program and sales departments and office workers.

"Gee, those NBC Blue Network programs over WFDF Flint Michigan are good."

THE HOT SPOT

740

between

NBC's Red and Blue

KQW

San Jose, Calif.

San Francisco Studios

1470 Pine Street

Reps.: Reynolds-Fitzgerald, Inc.

INS

INS reporters are young, active, alert, trustworthy journalists who know their business—a fact proved by frequent scoops.

INTERNATIONAL NEWS SERVICE

In Tulsa It's

KTUL

5000 Watts — CBS

Tulsa FIRST in per capita buying income in ENTIRE SOUTH

— Sales Management

FREE & PETERS, INC., Exclusive National Representatives

No Change Seen From Crisis

(*Continued from page 7*)

reducing the power of stations on the lower frequencies on the coasts or adjacent to heavily travelled naval bases because of possible interference with naval communications. Here, again, however, there is no immediate indication of any action one way or the other.

Because of the proclamation of the unlimited emergency, it was believed the whole complexion of the hearings on the White Resolution might be altered. Chairman Fly was scheduled as the first speaker before the full committee at 10:30 a.m. June 2. The hearings are expected to run through Wednesday June 4, at which time Senator Wheeler is scheduled to depart for Pittsburgh for an address the following day. Whether it will be necessary for the committee to resume the preliminary hearings could not be predicted.

Thus far, it is not known whether the FCC minority of Commissioners T. A. M. Craven and Norman S. Case, who opposed the drastic monopoly regulations on all counts, will be called upon to testify. Both were said to be in readiness to appear should the committee desire. They are not scheduled, however.

While the committee has no definite agenda of witnesses, indications are that the industry will be well represented. NAB President Miller will appear, probably as the first witness. Others tentatively scheduled to testify include Mark Ethridge, a vital figure in the monopoly proceedings in view of his designation by the President to make a survey of broadcasting; NBC President Niles Trammel, CBS President William S. Paley, and MBS Chairman Alfred J. McCosker. Independent Radio Network Affiliates probably will make an appearance through Samuel R. Rosenbaum, its chairman. A number of civic, educational and religious organizations of national scope already have resolved in opposition to the regulations and may submit statements to the committee

It is expected that Mr. McCosker, as spokesman for MBS, will support the monopoly regulations and oppose the White Resolution, in keeping with the position taken by the network during the stormy developments since their promulgation May 3. Aside from Chairman Fly, no other known witnesses in support of the regulations have been announced.

NAB Reviews Position

The NAB position—all front opposition to the monopoly regulations as constituting a threat to the freedom of broadcasting—was reviewed as the Executive Committee meeting in Washington last Wednesday night—the first meeting of the committee since its selection following the turbulent convention in St. Louis May 12-15.

In addition to President Miller, members attending the session included James D. Shouse, WLW, Cincinnati, and Paul W. Morency, WTIC, Hartford, for big stations; John Elmer, WCBM, Baltimore, and William H. West Jr, WTMV, E. St. Louis, for small stations, and John J. Gillin Jr., WOW, Omaha, for regional stations. Don S. Elias, WWNC, Asheville, the second regional station director, was absent.

Also participating ex-officio were Edward Klauber, CBS executive vice-president, and F. M. Russell, NBC Washington vice-president. MBS is not represented on the Executive Committee, since its general manager, Fred Weber, resigned during the NAB convention because of its disagreement both on the monopoly issue and on copyright.

Others who participated in the discussions included Harry C. Butcher, CBS Washington vice-president; Walter J. Brown, WSPA-WORD, Spartanburg, S. C.; George W. Norton Jr., WAVE, Louisville; Luther L. Hill, Iowa Broadcasting Co.; Edward M. Kirby, NAB public relations director, now on leave as radio advisor to the War Department Bureau of Public Relations, and C. E. Arney Jr., NAB assistant to the president.

President's Comment

At his press conference last Wednesday, the President was asked if he planned any change in international broadcasting or international communications. Without confining his answer to that particular field, the President said he had no knowledge of any change contemplated in radio and then suggested that the inquiry might be directed to Mark Ethridge, Chairman Fly, or Harry Butcher, or some of the others.

On the whole subject of proclamations, the President explained that he will issue specific orders for the use of individual powers granted under the unlimited emergency proclamation. This was interpreted to mean that if and when he decides to invoke any phase of Section 606 (c), he will issue an order covering those powers alone and extending to no other powers.

The controverted Section 606, which was used with abandon by the Republican Party in the last campaign as a "censorship" threat, is broken down into four sections. Sections (a) and (b) relate to wars in which the United States may be engaged. Section (c) relates to any war and covers moves that may be taken to preserve the neutrality of this country. Section (d) provides for "just compensation" to be ascertained by the President, in the event facilities actually are taken over. The text of Section 606 (c) follows:

> Upon proclamation by the President that there exists war or a threat of war or a state of public peril or disaster or other national emergency, or in order to preserve the neutrality of the United States, the President may suspend or amend, for such time as he may see fit, the rules and regulations applicable to any or all stations within the jurisdiction of the United States as prescribed by the Commission, and may cause the closing of any station for radio communication and the removal therefrom of its apparatus and equipment, or he may authorize the use or control of any such station and/or its apparatus and equipment by any department of the Government under such regulations as he may prescribe, upon just compensation to the owners.

MASS EDUCATION in aviation fundamentals reached a climax last week when first graduation exercises were held in Philadelphia by the WCAU Aviation Ground School. Some 250 students, from 16 to 60, completed 40-hour courses in basic air subjects. Here Dr. Lloyd Bohn, of Temple U, receives a hand-carved eagle from the student body in appreciation for his lectures. Participating in ceremonies are (l to r): Harry Dulin, CAA inspector in Philadelphia; Capt. E. M. Pace, manager of Naval aircraft factory; Alfred I. Wolf, aeronautical attorney; Bruce Mathewson, student, holding trophy; Joe Connolly, WCAU promotion director; Capt. Jack Knight, United Airlines; Dr. Bohn; R. S. Gall, public relations director of Brewster Aircraft Corp.

COMMITTEE MAKEUP
Several Senators Informed On Radio Matters

THE SENATE Interstate Commerce Committee, which begins hearings June 2 on the White Resolution has 21 members. Senator Wheeler (D-Mont.) is chairman, while Senator White (R-Me.) is ranking minority member.

Democrats on the committee are: Burton K. Wheeler (Mont.), Ellison D. Smith (S. C.), Robert F. Wagner (N. Y.), Alben W. Barkley (Ky.), Homer T. Bone (Wash.), Harry S. Truman (Mo.), Charles O. Andrews (Fla.), Edwin C. Johnson (Colo.), H. H. Schwartz (Wyo.), Lister Hill (Ala.), Tom Stewart (Tenn.), D. Worth Clark (Idaho), James M. Tunnell (Del.), Ernest W. McFarland (Ariz.).

Republicans, by seniority, are: Wallace H. White Jr. (Me.), Warren R. Austin (Vt.)., Henrik Shipstead (Minn.), Charles W. Tobey (N. H.), Clyde M. Reed (Kan.), Chan Gurney (S. D.), C. Wayland Brooks (Ill.).

IS THIS A MAJOR MARKET?

Buyers of advertising measure a market's value by two basic factors — "*how many people? . . . how much do they spend?*" Here are the answers for the WLAW market:

***PEOPLE—2,946,855 in the primary and secondary listening areas.**

***THEY SPEND — $1,024,196,000 annually.**

** U. S. Census*

Compare these figures with other *major* markets.

WLAW
LAWRENCE, MASS.
5000 WATTS 680 K. C.
Columbia Affiliate
National Representatives
THE KATZ AGENCY, INC.

FM
with *Simplified* CIRCUIT DESIGN
GENERAL ELECTRIC

Radio Restriction On OGR Dropped

Conferees Drop Plan to Stop Government Use of Discs

A MOVE to prohibit distribution of films, radio scripts or transcriptions by the Office of Government Reports was stopped last Wednesday when conferees eliminated a Senate amendment carrying this prohibition from the bill giving permanent status to OGR and authorizing appropriation of $1,500,000 for its operation during fiscal year 1942.

The amendment, proposed by Senator Taft (R-O.), was approved May 20 by the Senate without a record vote during consideration of the Administration-backed measure.

OGR Radio Activity

A survey by BROADCASTING, made in the fall of 1940, revealed that for more than a year OGR released, through its State offices, a transcription series based on the activities of the Cabinet and other Federal agencies. At the time the survey was made the Office was releasing a disc series based on the defense program, covering such agencies as the Army, Navy, Coast Guard, Civil Aeronautics Authority, and Department of Justice (alien registration). Robert I. Berger, special assistant to OGR Director Lowell Mellett, acts as a radio liaison for certain Federal agencies in their use of the medium.

Senator Taft contended in a statement urging passage of his amendment that under President Roosevelt's second reorganization order radio functions of the old National Emergency Council, predecessor of OGR, were transferred to the Office of Education, of the Federal Security Administration. During hearings before the House Committee on Expenditures in Executive Departments this spring, it was charged that OGR was being set up on a basis which would make it a logical focal point for Government ownership, when and if that developed. The charges of prospective censorship were denied unequivocally by Director Mellett in his testimony before the committee.

Test for Kilmer

KILMER & Co., Binghamton, N. Y., recently acquired by Sterling Products Co., Wheeling, W. Va., will test radio in a few markets as yet unselected for its product Swamp-root. Whether announcements or programs will be used has not been decided by the agency, Blackett-Sample-Hummert, New York.

Fulton Lewis Honored

WHEN Fulton Lewis Jr., MBS commentator, was graduated from Western High School, Washington, back in 1920, he had no idea that 20 years later his teachers would confer their highest honor on him. Recently the Washington High School Teachers' Assn. notified Lewis that he had been selected as the first recipient of a newly-established award for "distinguished service to country and craft".

PRESIDENT'S AUDIENCE

Largest in History of Radio

Hooper Finds

LARGEST radio audience in the history of broadcasting was tuned in to the May 28 fireside chat given by President Franklin D. Roosevelt, according to a report by C. E. Hooper, New York, made for CBS the day after the talk. Hooper report gave a total of 65,650,000 persons tuned to the broadcast, or 70% of all radio families in the United States.

This is the highest record for a radio broadcast since Dec. 29, 1940, when President Roosevelt gave his fireside chat on nation's security and Hooper reported that 50,000,000 or 59% of the U. S. radio homes were tuned to the talk.

CBS, which carried the talk in the United States, of course, also shortwaved it to South America and rebroadcast it to Canada, Latin America and Great Britain, estimated 27,500,000 listeners.

NBC, to insure Spanish and Portuguese translations of the talk, flew two of its ace translators, Eli Canel and Fernando de Sa, to Washington May 27, so the translations could be broadcast simultaneously with the delivery of the message on WRCA and WNBI, NBC's international stations. NBC reports that 224 of its Red and Blue stations in the United States carried the speech, 51 independent stations were fed the talk, three Alaskan and 40 Canadian stations carried the talk, and 85 South American stations broadcast the program, making a record-breaking total of stations.

NBC also beamed the broadcast to the BBC, the Australian Broadcasting Commission and the Amalgamated Wireless of the Antipodes. May 28, NBC shortwaved the talk to European Audiences in Italian, German and French over the combined NBC facilities.

Rose Joins AMP

WILLIAM W. ROSE, former radio director or Walker & Downing, Pittsburgh, has been named to manager the continuity department of Associated Recorded Program Service and handle publicity as well as sales promotion for AMP studios and Associated Music Publishers. He succeeds James Lucas, drafted, who will soon be stationed at Camp Upton at Yaphank, L. I. Mr. Rose was previously in charge of production of KDKA, Pittsburgh, and prior to that continuity editor of WGAR, Cleveland.

EDWIN WEISMAN of the continuity department of WMCA, New York, on June 2 joins Leon S. Golnick & Associates, Baltimore, as assistant to the president.

BINGHAM PROPOSES PROCEDURE CHANGE

DISAGREEING with a number of the tenets of FCC procedure endorsed by FCC Chairman James Lawrence Fly, Herbert M. Bingham, Washington attorney and president of the FCC Bar Assn., last Wednesday appeared before a Senate judiciary subcommittee considering proposed changes in the procedure of Federal administrative agencies.

The subcommittee, headed by Senator Hatch (D-N. M.), is considering three separate proposals—one from both the majority and minority groups of the Attorney General's Committee on Administrative Procedure and a third drafted by the American Bar Assn. Chairman Fly appeared before the subcommittee April 18, endorsing the bill advanced by the majority membership of the Attorney General's Committee [BROADCASTING, April 21].

Explaining the FCC Bar Assn.'s position, Mr. Bingham said the group favored a composite proposal made up of provisions drawn from all three of the bills. Confining his testimony to application of the proposed statutory changes to the FCC, he took issue with several of the administrative principles advocated by Chairman Fly and urged right of intervention for any interested party.

Issuance of rules covering a general principle or matter subject to rule, after a case is decided, also was advocated by the FCC bar group, along with the issuance of declaratory rulings on whether a program is in the public interest.

He opposed the FCC practice of employing off-the-record advice of its own experts in formulating decisions, and took exception to the suggestion of Chairman Fly that the administrative agency be empowered to take the case away from the presiding officer at the conclusion of a hearing for the purpose of issuing proposed findings and conclusions.

Emerson's Plans

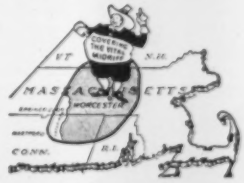
EMERSON DRUG Co., Baltimore (Bromo-Seltzer), will sponsor *Vox Pop* on two networks for eight weeks—on NBC-Blue starting Aug. 8 as a summer replacement for Ben Bernie, Fridays 9-9:30 p.m., and on CBS, Mondays 8-8:30 p.m. Starting Aug. 4, when Ben Bernie is resumed, the sponsor will continue the *Vox Pop* program on CBS only, according to Ruthrauff & Ryan, New York. The latter program is currently sponsored on CBS, Thursdays, 7:30-8 p.m. by Penn Tobacco Co., Wilkes-Barre, Pa., for Kentucky Club tobacco and leaves the air for that sponsor on June 26. Kiesewetter Adv. Agency, New York, is the agency for Penn tobacco.

JAMES F. EGAN, copy executive of Lennen & Mitchell, New York, has been elected vice-president and copy director of the agency.

The Single Key to the DRUG MARKET of Central New England

A market of over a million people is important to your sales. Central New England's million people, earning their living as regularly employed skilled workers in 500 industries, exceed the national average for per capita drug purchases. There's one key to these purchases, the one key you need to reach the Central New England Market. That key is WTAG, the accepted Voice of Central New England.

WTAG
WORCESTER



NBC BASIC RED & YANKEE NETWORKS

EDWARD PETRY & CO., INC.
NATIONAL REPRESENTATIVE

OWNED AND OPERATED BY THE WORCESTER TELEGRAM-GAZETTE

ACTIONS OF THE
FEDERAL COMMUNICATIONS COMMISSION

MAY 24 TO MAY 29 INCLUSIVE

Decisions . . .

MAY 23

(Too late for May 26 issue.)

MISCELLANEOUS — **KFRO, Longview, Tex.**, granted continuance hearing 60 days; **WGST, Atlanta**, granted continuance renewal hearing 60 days; **KMA, Shenandoah, Ia.**, granted continuance renewal hearing 60 days; **WRDO, Augusta, Me.**, granted postponement renewal hearing 30 days.

WOWO, Fort Wayne, Ind.—Denied temporary authority unlimited time for one month.

WWVA, Wheeling—Same.

MAY 27

KENO, Las Vegas, Nev.—Granted consent assignment license from George Penn Foster, Maxwell Kelch and Calvert Charles Applegate d/b Nevada Broadcasting Co. to Nevada Broadcasting Company, corporation.

WERC, Erie, Pa.—Granted modification CP change transmitter.

SET FOR HEARING—**NEW, George Grant Brooks Jr., Scranton, Pa.**, CP 1400 kc 250 w unl., asks WARM facilities, joining hearing with WARM renewal application and that of **Anthracite Broadcasting Co.** for new station 1400 kc 250 w unl. and also asking WARM facilities; **WICA, Ashtabula, O.**, CP new transmitter, directional N, increase to 1-5 kw unl.; **WWSW, Pittsburgh**, CP change to 970 kc 1-5 kw directional N & D, to be heard with WICA application.

PLACED IN PENDING FILES—**KMMJ, Grand Island**, application transfer all outstanding stock from Don Searle, H. A. Searle Jr., Helen Searle Blanchard and Herbert Hollister to Grand Island Independent Publishing Co.; **WTFL, Fort Lauderdale, Fla.** application consent assign license from Tom B. Bryan to Ralph A. Horton; **WOKO Inc., Albany, N. Y.**, FM application; **NEW, Courier-Journal and Louisville Times Co., Louisville**, same; all come under Order No. 79.

MISCELLANEOUS—**KEX, Portland, Ore.**, petition for reconsideration and grant of renewal application, heretofore scheduled, cancelled and renewal granted on renewal basis; **KGA, Spokane**, same; **WGN, Chicago**, granted petitions WGN to intervene and enlarge issues in WTCN and WHB applications change frequency etc.; **NEW, Park Cities Broadcasting Corp., Dallas**, granted leave intervene WHB hearing change to 710 kc and dismissed motion for continuance of hearing.

MAY 28

MISCELLANEOUS — **KWJJ, Portland, Ore.**, granted extension temporary authority 1080 kc 500 w ltd etc., pending completion CP; **WCNW, Brooklyn**, denied temporary authority special hours; **WAPI, Birmingham**, CP change to 1070 kc increase to 50 kw directional N, new transmitter was designated for hearing.

Applications . . .

MAY 26

WMVA, Martinsville, Va.—Involuntary assignment license to Martinsville Broadcasting Co.

KBPS, Portland, Ore.—CP increase power etc., amended to unl.

MAY 23

NEW, S. Jersey Broadcasting Corp., Vineland, N. J.—CP 1500 kc 250 w unl. facilities WDAS, amended to 1400 kc facilities WDAS when it goes to 1260 kc.

NEW, James F. Hopkins Inc., Detroit—CP FM 46.5 mc, amended to 6,790 sq. miles 2,697,132 pop.

WCBS, Wayne, N. J.—Modification CP increase power etc. asking also 6060, 21520 kc, Sh.-WCRC and Sh.-WCAB on 6060, 9650, 11830, 15270, 21520 kc.

WCRC, Brentwood, N. Y.—Modification CP asking 6120, 6170, 21570 kc ans Sh.-WCBX and Sh.-WCAB 6060, 9650, 11830, 15270, 21520 kc.

NEW, Anthracite Broadcasting Co., Scranton, Pa.—CP 1400 kc 250 w unl., facilities WARM.

NEW, Southwestern Mich. Broadcasting Corp., Kalamazoo—CP 980 kc 1 kw unl., directional N, facilities WHAL, CP of WHAL to be surrendered if this application is granted.

NEW, Capitol Broadcasting Co., Port Allen, La.—CP 1400 kc 250 w unl.

NEW, Henry Norman Saurage, Baton Rouge, La.—CP 1400 kc 250 w unl.

NEW, Nashville Broadcasting Co., Nashville—CP 1240 kc 250 w unl, WSIX facilities if vacated.

WRAL, Raleigh, N. C.—CP new transmitter etc., change to 620 kc 1-5 kw.

NEW, Air-Waves Inc., Baton Rouge, La.—CP 1400 kc 250 w unl.

MAY 29

W53H, Hartford, Conn.—Modification CO FM change transmitter, antenna, and population to 936,448.

NEW, Morgan Co. Board of Education, W. Liberty, Ky.—CP 42.1 mc 500 w FM.

W8XO, Mason, O.—Modification license to 750 kw maximum power, increase power from 100 to 500 kw and 500 to 750 kw.

WSOY, Decatur, Ill.—CP change to 1320 kc 1-5 kw directional, amended to 1560 kc 10 kw, change antenna.

NEW, CBS, St. Louis—CP FM 44.7 mc, amended to 12,900 sq. miles, 1,847,060 population.

KGB, San Diego, Cal.—CP increase to 5 kw, new transmitter, antenna.

NEW, Tribune Bldg. Co., Oakland, Cal.—CP FM 46.5 mc, 1,216 sq. miles 1,350,000 population.

Tentative Calendar . . .

JUNE 2

NEW, Symons Broadcasting Co., Ellensburg, Wash.—CP 1110 kc 1 kw unl.

WHB, Kansas City—CP 710 kc 5 kw directional unl.

WTCN, Minneapolis—CP 710 kc 10 kw unl. directional N.

WTMC, Ocala, Fla.—License revocation (in Pensacola).

WDLP, Panama City, Fla.—License revocation (in Pensacola).

JUNE 3

WPAY, Portsmouth, O.—Transfer control, license renewal.

JUNE 6

NEW, Butler Broadcasting Corp., Hamilton, O.—CP 1420 kc 250 w unl.

JUNE 27

NEW, Parkersburg Sentinel Co., Parkersburg, W. Va.—CP 1310 kc 250 w unl.

WRDO, Augusta, Me.—License renewal.

JULY 28

KMA, Shenandoah, Ia.—License renewal.

AUGUST 1

WGST, Atlanta—License renewal.

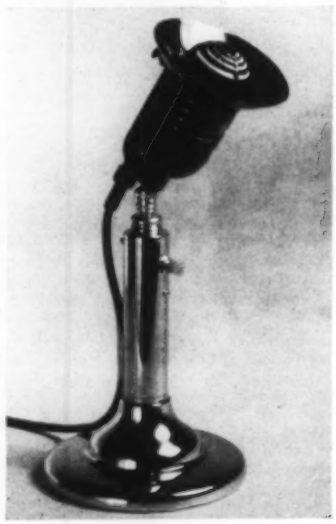
AUGUST 4

KFRO, Longview, Tex.—Modification CP to 1340 kc 5 kw unl. directional N.

New Program Analysis Is Inaugurated by CAB

SUPPLEMENTING its regular monthly reports, the Cooperative Analysis of Broadcasting is adding to its service a monthly chart-manual designed to give complete statistical data on rated programs on the air at the same time. Bound in pamphlet form the new manual, or rating log, contains (1) regular CAB ratings (per cent of all set owners listening to a program); (2) per cent of all the sets in use at the time of each program; (3) per cent of sets tuned to each program on at the same hour.

This latter figure is a comparative rating of competing broadcasts on at the same time and has not been previously included in the CAB reports. Planning and supervision of the new manual was carried out by CAB Manager A. W. Lehman and CAB governing committee, of which the chairman is D. P. Smelser, manager of marketing research of Procter & Gamble Co., Cincinnati.



NEW PUSHMIKE ADAPTOR and stand, for mobile or portable operation has been announced by RCA. The new unit is designed for public address systems, or for other uses where it is desirable to cut the mike in and out of the amplifier circuit at will. The switch adaptor is fitted with a heavy duty double-pole-double throw low-capacity leaf switch, with a "push-to-talk" button that can be locked in the "talk" position with ease. By use of the proper thread changing adaptor, any RCA mike can be attached to the switch.

Strike Against WKRC Is Authorized by AFRA

AMERICAN FEDERATION of Radio Artists has authorized a strike against WKRC, Cincinnati, following a disagreement between the union and the station on the question of AFRA shop. No action has been taken on the authorization, however, according to Mrs. Emily Holt, national executive secretary of AFRA, who stated that the wages and working conditions differences were the main issues.

Although the contract AFRA has with the General Electric station, WGY, Schenectady, has some months to run, GE has voluntarily revised the pact to allow for a 3% raise to offset the cost of living. AFRA gave its permission for such a raise, and all employes are covered by the contract, retroactive to April 7, to receive a $4-a-week raise up to a certain yearly salary. In addition AFRA is still bargaining with WTAM, Cleveland, on a contract to cover that station's employes, while also pending is the AFRA-shop minimum pay and working conditions contract with KLRD, Dallas.

BURRIDGE D. BUTLER, president of WLS, Chicago, and operator of KOY, Phoenix, has returned to Chicago, after spending the winter in Arizona.

Network Accounts

All time EDST unless otherwise indicated.

New Business

WHITE Labs., Newark (Feenamint) on June 27 renews *Double or Nothing* on 116 MBS stations, Fri., 8-8:30 p.m. Agency: Wm. Esty & Co., N. Y.

GALLENKAMP STORE Co., San Francisco (shoes), on May 22 started *Here's the Clue* on 6 CBS Pacific Coast network stations (KNX KARM KSFO KOIN KIRO KFPY), Thurs., 6:45-6:50 p.m. (PST). Agency: Long Adv. Service, San Francisco.

Renewal Accounts

GENERAL FOODS CORP., New York (Jell-O), on July 3 renews *The Aldrich Family* for 52 weeks on 84 NBC-Red stations, Thurs., 8:30-9 p.m. Program is discontinued for four weeks starting July 24. Agency: Young & Rubicam, N. Y.

GENERAL FOODS CORP., New York (Maxwell House coffee), on July 3 renews *Maxwell House Coffee Time* for 52 weeks on 90 NBC-Red stations, Thurs., 8-8:30 p.m. Program is discontinued for seven weeks starting July 10. Agency: Benton & Bowles, N. Y.

KNOX GELATINE Co., Johnstown, on May 20 renewed for 13 weeks *Backgrounds for Headlines* with Bob Garred on 3 CBS Pacific Coast stations (KNX KSFO KARM), Tues.-Thurs., 7:30-8 p.m. (PST) and Sat. 7:45-8:00 p.m. (PST). Agency: Kenyon & Eckhardt, N. Y.

ADAM HAT STORES, New York, for the sixth consecutive year, has renewed for 52 weeks its *Hour of Champions* with Sam Taub, heard on WHN, New York, Sundays, 1-2 p.m. Agency is Glicksman Adv. Agency, New York.

Network Changes

ANDREW JERGENS Co., Cincinnati (Woodbury face cream and powder), on July 2 replaces Tony *Martin* from Hollywood and *How Did You Meet*, on 66 NBC-Red stations, Wednesday, 8-8:15 and 8:15-8:30 p.m. with a half-hour dramatic show, *The Thin Man*. Agency is Lennen & Mitchell, New York.

BRISTOL-MYERS Co., New York (Ipana, Sal Hepatica), on July 4 replaces the Eddie Cantor *Time to Smile* program on NBC-Red Wednesdays 9:30 p.m. with *Quizzer Baseball*, quiz program using baseball method of scoring participants. Show has been on KFH, Wichita, for over a year. Young & Rubicam, New York, is agency.

PROCTER & GAMBLE Co., Cincinnati (Teel and Drene), on June 27 discontinues *Those We Love* on 11 CBS stations, Mon., 8-8:30 p.m. Agency: H. W. Kastor & Sons, Chicago.

GENERAL FOODS Corp., New York (Post Toasties), on June 2 shifts *Young Dr. Malone* on 87 CBS stations from 2-2:15 to 3:15-3:30 p.m., Mon. thru Fri. Agency: Benton & Bowles, N. Y.

CONTINENTAL BAKING CO., New York (Wonder bread), on July 3 shifts *Your Marriage Club* on 48 CBS stations from Sat., 8-8:30 p.m. to Thurs. 7:30-8 p.m., rebroadcast 11:30-12 midnight. Agency: Ted Bates Inc., N. Y.

CLASSIFIED Advertisements

Help wanted and Situations Wanted, 7c per word. All other classifications, 12c per word. Bold face listings, double. BOLD FACE CAPS, triple. Minimum charge $1.00. Payable in advance. Count three words for box address. Forms close one week preceding issue.

Help Wanted

Progressive NBC Affiliate—Has opening experienced announcer with southern voice capable handling controls. Send voice recording and complete outline qualifications and salary expected. WSAV, Savannah, Georgia.

Combination Announcer Engineer—Good voice and personality. Write KORN, Fremont, Neb.

Announcers, Writers, Salesmen, Operators, Directors—Investigate our national placement service. Central Registry, Orpheum Bldg., Wichita, Kans.

Continuity Writer-Announcer—Young man for writing commercial copy and announcing. $25 weekly. Send all in one letter, photograph, past experience, age, draft number. Box 532, BROADCASTING.

Operator-Announcer—Must have license, experience desirable but not essential. Attractive opportunity with full time "local" in New Jersey. Box 536, BROADCASTING.

Wanted—Three good announcers with first class licenses. Network affiliated eastern local. Good pay, permanent, send transcription, details. Box 539, BROADCASTING.

Wanted—Script writer and radio promotion man with Southern Agricultural background wanted to work in advertising department of large feed milling company with nation-wide distribution. Excellent opportunity for young man. Give details of background and experience. Enclose snapshot. Address Box 541, BROADCASTING.

Wanted—An assistant manager for 1000 watt station in Central West, who has a complete radio background, particularly in handling personnel. Present all qualifications in first letter which will be held in confidence. Box 527, BROADCASTING.

Situations Wanted

Experienced Program-Producer—With successful selling-merchandising ideas desires position with progressive station. Ten years' radio includes local-regional stations; national agency-national research training. Draft exempt. Excellent references. Box 537, BROADCASTING.

Experienced Police Dispatcher - Teletype Operator and Combination Broadcast Announcer-Operator—Now employed, considering change. Report for duty within 30 days. Box 540, BROADCASTING.

Salesmanager—Of network regional desires to manage, salesmanage local station, mid-west preferred. 31 years, 10 years radio, married. Box 530, BROADCASTING.

Commercial Operator—First Class Telephone, X-navy, married, available for position as broadcast operator. Charles Mitchell, 330 South Sheridan Road, Waukegan, Illinois.

Radio Engineer—23, BSEE degree, radiotelephone first class license, six months television experience, desires radio employment. Box 528, BROADCASTING.

Engineer—Two years' experience night shift transmitter while attending Junior College wants night shift at station in Technical College town. Well recommended. Write for details. Box 533, BROADCASTING.

Top-Flight Announcer-Production Man—Wants connection with Northern or New England station. Specialty is ad-lib and special events . . . comparable with best. Convincing commercial delivery. Proven production success, agency calibre copy. Now employed CBS regional. All-round man. Box 529, BROADCASTING.

Experienced Salesman and Copy-Writer—Wants position with opportunity for advancement. Married, industrious, best references. Now employed. Can announce. Details on request. Box 535, BROADCASTING.

Announcer-Engineer—(Radio Telephone First Class) wants travel throughout country. Will take vacation relief work. Five years' experience in city 700,000 population. Draft deferred. Best references. State salary. Box 543, BROADCASTING.

I Am Working Now As Salesman—Transmitter operator, announcer and in promotion. Not afraid of long hours. Married, draft deferred. 7 years' experience. Looking for place where enterprising, hardworking man can get ahead. Box 542, BROADCASTING.

Experienced—Radio director of small agency; creator of program ideas; copywriter; good voice, dramatic training; young, married, would like opportunity to use talent and experience in small station. Box 534, BROADCASTING.

Chief Engineer or Technician—Twelve years' network experience as supervisor at key stations for leading network. Experience in all phases of radio broadcasting. Will furnish excellent references from former employers. Not subject to draft. Box 531, BROADCASTING.

Announcer, Commentator—One year's experience, wants staff position, draft exempt. Will consider going anywhere (can write own copy). Will send transcribed audition. John Michaels, Radio Arts Studio, 1584 Cross Roads of World, Hollywood, California.

Commercial Manager—Available June 10th. Excellent record in local and national sales. Experience in all departments, sales direction, creative production and programming. Outstanding entree with leading agencies. Married; university education; draft exempt. For complete details write Box 544, BROADCASTING.

Progressive, Alert Announcer-Producer—With creative ideas and proven ability, now with network affiliate, desires association with progressive California station. Can double equally well as singer, actor, writer. Box 526, BROADCASTING.

For Sale

For Sale—Field strength measuring equipment RCA TMV 75 B good condition. Herb Hollister, KANS, Wichita, Kansas.

For Sale—General Radio frequency monitor 475C latest type complies FCC 20 cycle ruling. Hollister Crystal Company, Hotel Lassen, Wichita, Kansas.

Crystal Specialists Since 1925

ATTENTION

BROADCASTERS SUBJECT TO FREQUENCY RE-ALLOCATION

We are at your service to—

1. REGRIND your present crystal to higher new frequency $17.50
2. NEW CRYSTAL (less holder) $22.50
3. NEW CRYSTAL fully mounted . $30.00

LOW DRIFT - APPROVED BY FCC

Scientific **RADIO SERVICE**

124 Jackson Ave.
University Park, Md.

Tayton Signs Fidler

TAYTON Co., Hollywood (cosmetics), on July 11 starts *Tayton's Tattler*, featuring Jimmie Fidler, on 7 CBS Pacific Coast stations (KNX KSFO KARM KOIN KIRO KFPY KVI), Friday, 8:30-8:45 p.m. (PST). If series is successful the network will be enlarged. Fidler, out of radio for a year, has been signed for a three-year contract with salary and percentage of gross. BBDO, Los Angeles, has the account. The firm is a large marketer of cosmetics on the Coast.

WFBG
ALTOONA, PA.

- NBC RED
- 250 WATTS
- FULL TIME OPERATION
- RAILROAD SHOPS ON FULL TIME SCHEDULE

WFBG provides the only full coverage of the Altoona trading area.

PROFESSIONAL DIRECTORY

JANSKY & BAILEY
An Organization of
Qualified Radio Engineers
Dedicated to the
SERVICE OF BROADCASTING
National Press Bldg., Wash., D. C.

McNARY & CHAMBERS
Radio Engineers
National Press Bldg. DI. 1205
Washington, D. C.

There is no substitute for experience
GLENN D. GILLETT
Consulting Radio Engineer
982 National Press Bldg.
Washington, D. C.

PAUL F. GODLEY
Consulting Radio Engineer
Phone: Montclair (N. J.) 2-7859

JOHN BARRON
Consulting Radio Engineer
Specializing in Broadcast and Allocation Engineering
Earle Building, Washington, D. C.
Telephone NAtional 7757

PAGE & DAVIS
Consulting Radio Engineer
Munsey Bldg. District 8456
Washington, D. C.

HECTOR R. SKIFTER
Consulting Radio Engineer
FIELD INTENSITY SURVEYS
STATION LOCATION SURVEYS
CUSTOM BUILT EQUIPMENT
SAINT PAUL, MINNESOTA

A. EARL CULLUM, JR.
Consulting Radio Engineer
Highland Park Village
Dallas, Texas

CLIFFORD YEWDALL
Empire State Bldg.
NEW YORK CITY
An Accounting Service
Particularly Adapted to Radio

Frequency Measuring Service
EXACT MEASUREMENTS
ANY HOUR—ANY DAY
R.C.A. Communications, Inc.
66 Broad St., New York, N.Y.

Radio Engineering Consultants
Frequency Monitoring
Commercial Radio Equip. Co.
Main Office: 7134 Main St. Kansas City, Mo.
Crossroads of the World Hollywood, Cal.

RAYMOND M. WILMOTTE
Consulting Radio Engineer
Designer of First Directional Antenna Controlling Interference
Bowen Bldg. • WASH., D. C. • NA. 6718

RING & CLARK
Consulting Radio Engineers
WASHINGTON, D. C.
Munsey Bldg. • Republic 2347

Advertise in BROADCASTING for Results!

Excess Profits Tax Levied on Capital Opposed by NAB

Would Be Hardship to Service Industries, Committee Told

TERMING the plan "a new principle in taxation" based on "an arbitrary determination of what constitutes normal profits and excess profits," J. Robert Myers, of the NAB research department, appeared last Wednesday before the House Ways & Means Committee to oppose the Treasury Department's proposal to restrict the "normal profits" base for the excess profits tax to a ceiling of 10% on invested capital.

Mr. Myers noted in his statement to the committee that broadcasting corporations, along with other service industries, would be placed under a hardship if the 10% ceiling prevailed, rather than the previous basis premised on average earnings for the 1936-1939 base period.

Haggerty Explains

The Ways & Means Committee, which for several weeks has been conducting hearings in connection with the proposal to raise an additional 3½ billion dollars in taxes for the defense effort, on May 19 heard John B. Haggerty, president of the International Printing Trades Assn., explain his proposal for levying a 20% tax on the gross income of radio stations and a 75% levy on the transfer of station ownership. Along similar lines, Rep. Connery (D-Mass.) the same day introduced a bill calling for a graduated gross tax on station earnings, ranging from 10% to 20% on earnings of $150,000 annually and above [BROADCASTING, May 26].

E. J. Brown, international president of IBEW, in a letter to Chairman Dougton (D-N. C.), of the Ways & Means Committee, last Monday expressed IBEW's strong opposition to the Connery proposal, terming it "unreasonable, discriminatory and arbitrary" and declaring that it partakes of the nature of class legislation. He explained that IBEW, with more than 200,000 affiliates, covers several thousand radio technicians or workers in closely related activities, and declared that the union can be assumed to express the views of more than 45,000 employes of the radio industry, irrespective of the fact that all of them are not members of IBEW.

"In his statement of May 19 before your committee, the Assistant Secretary of the Treasury (John L. Sullivan) conceives a new theory concerning excess profits," Mr. Myers declared. "He proposes to tax profits in excess of a necessary normal return. In order to define what such profits are, it becomes necessary to relate them to something, and this he does by relating them to invested capital.

"Business differs greatly as to the amount of invested capital necessary for operations. To say that all profits in excess of those representing a return of 10% on invested capital are excessive is to ignore the great difference in capital requirements as between various businesses. The business of broadcasting, in common with many other businesses which produce a service rather than goods for sale, does not require a large investment in plant and equipment.

"Ordinary profits in this business, as in many other similarly situated businesses, normally run well in excess of a 10% return on invested capital. Judging by the amount of invested capital alone, such business can be mistakenly viewed as making large profits.

"We feel that if the average earnings base is in effect discarded and the invested capital base alone used, it will work an undue hardship on many types of business. The radio industry is composed largely of small units. Many are corporations with but few stockholders, most of them actively engaged in the business; and, in these cases, the corporate profits represent the earnings of these individuals from their own daily efforts. In all cases they cannot qualify strictly as personal service corporations.

"Another element to be considered is the risk involved in operating a broadcasting station. Licenses are issued for a period of one year only, and whether the corporation be large or small, its return in profits should reflect this risk.

"When more revenue is needed, the radio industry, along with every other branch of American business, will gladly pay the necessary taxes. But to pay taxes on any portion of business profits which are arbitrarily stated to be excessive, and purely for that reason, has no place in our tax structure, either in an emergency or when at peace."

Drawn for BROADCASTING by Sid Hix

"Turn Off That Jazz and See if You Can Get the Old Dirt Dobber!"

FCC Extends Date

THE FCC May 27 announced extension of the effective date of Section 3.32 (b) of the standard and high-frequency broadcast rules which prohibit broadcasting of commercial programs under experimental licenses, to July 29, 1941.

Elmer Davis Program

ELMER DAVIS, CBS news analyst, who returned last week from a five-week survey of conditions in England, on June 1 conducted a special CBS program taking the radio audience on a "tour" of the network's news-room. During the broadcast, Paul W. White, CBS director of news broadcasts, was heard in a transatlantic conversation with Edward R. Murrow, CBS chief of European correspondents, in London, on important events of the day.

FM Set Sales Rise

SALES of frequency modulation receivers during April showed an increase of 15% over March, according to figure based on manufacturers' returns just issued by FM Broadcasters Inc., New York. Between 2,000 and 2,500 FM sets were marketed during April, the report revealed, bringing the current total of FM receivers in operation throughout the country to nearly 30,000. Of this number it is estimated that between 9,000 and 10,000 sets are located in the New York metropolitan area.

School Adds to List

UTILITY ENGINEERING Institute, Chicago (air conditioning courses), has added six stations to the list releasing its varying schedule of 5 and 15-minute musical programs. Stations added during the month of May are WLW, Cincinnati; WHDH, Boston; WSPR, Springfield, Mass.; KFBI, Wichita, Kans.; WIBC, Indianapolis; WSVA, Harrisonburg, Va. Contracts are for 13 weeks. Agency is First United Broadcasters, Chicago.

Chicle Chuckles

ITEM: Gum Works Blow Up and a Sticky Time Is Had By All. Anyway, the Twin Cities were recently all gummed up when KSTP sponsored a gum bubble blowing contest in 10 St. Paul and Minneapolis theatres to promote the new Dubble-Bubble Gum show, *Don Winslow of the Navy*. Prizes were cash—and more gum.

Stations in Phila. Defend Rejections

Stations Hold to Position in Policy on Lindbergh Time

HOLDING their ground in the face of protests to their action in refusing to sell the America First Committee spot announcements to advertise the group's May 29 rally at which Charles A. Lindbergh delivered the principal address, the managements of WCAU, KYW and WFIL, Philadelphia stations, announced individually that they will give proper consideration to such requests for time on a sustaining rather than paid basis, in accordance with the NAB Code.

All three reiterated their resolve not to sell time for discussion of controversial issues, such as situations involving interventionists and non-interventionists, unless each side had equal opportunity to be heard.

Officials Comment

Setting forth his station's policy, Samuel R. Rosenbaum, president of WFIL, declared: "WFIL will not sell time for speeches or spot announcements on the question of the World War, but we will give this group free time when available, just as we did with the Communist party, giving advocates of opposite views an equal opportunity to be heard."

Leslie W. Joy, general manager of KYW, also issued a formal statement of policy covering broadcasts of controversial issues: "The long-established practice of KYW has been to grant equal time, without charge, to both sides of every question involving the public interest. In serving this community, KYW consistently has refused to sell broadcasting time for the dissemination of opinions which an opposing group might, for financial reasons, be unable to refute. We adhere uncompromisingly to this established American code of broadcasting, which calls for the straightforward presentation of both sides of any major issue involving the welfare of our country and its people."

Commenting on charges that WCAU also had refused time to the America First Committee, Dr. Leon Levy, president of the station, denied that WCAU had refused to broadcast Mr. Lindbergh's address, explaining that no such request had been made. In a telegram to Rep. Lambertson (R-Kan.), Dr. Levy protested remarks by the Congressman on the floor of the House, during which both he and Mr. Rosenbaum were referred to by name. He stated in the telegram that "if and when such request is made, it will be given proper consideration," and called attention to the fact that WCAU broadcast a speech by Mr. Lindbergh from Minneapolis in May and subsequently another non-interventionist address by Senator Wheeler (D-Mont.).

Leadership in Library Service

West Goes East . . .

. . . and you can bet the twain have met and are getting along very nicely. Translation: Don Allen, Standard Radio's high-powered production wizard, has traveled by easy stages from Hollywood to St. Louis to New York, where he is now by way of recording various talent groups in and around the Biggest City. With Don's ear for the unusual, Standard Radio subscribers may confidently expect some pleasant musical surprises in Standard releases in months to come.

▼ ▼ ▼

Did we say Jack Teagarden created a tempest? That was putting it mildly, because his first releases brought a veritable storm of applauding comment from our subscribers. Typical comments: "What a band!"; "Going over big with our listeners!"; "Send us more Teagarden selections!"

▲ ▲ ▲

Speaking of dance bands, we'd like to go on "record" as saying that the new Freddie Martin releases are his best yet. That distinctive Martin style "wows" them—meaning the folks on the receiving end —every time.

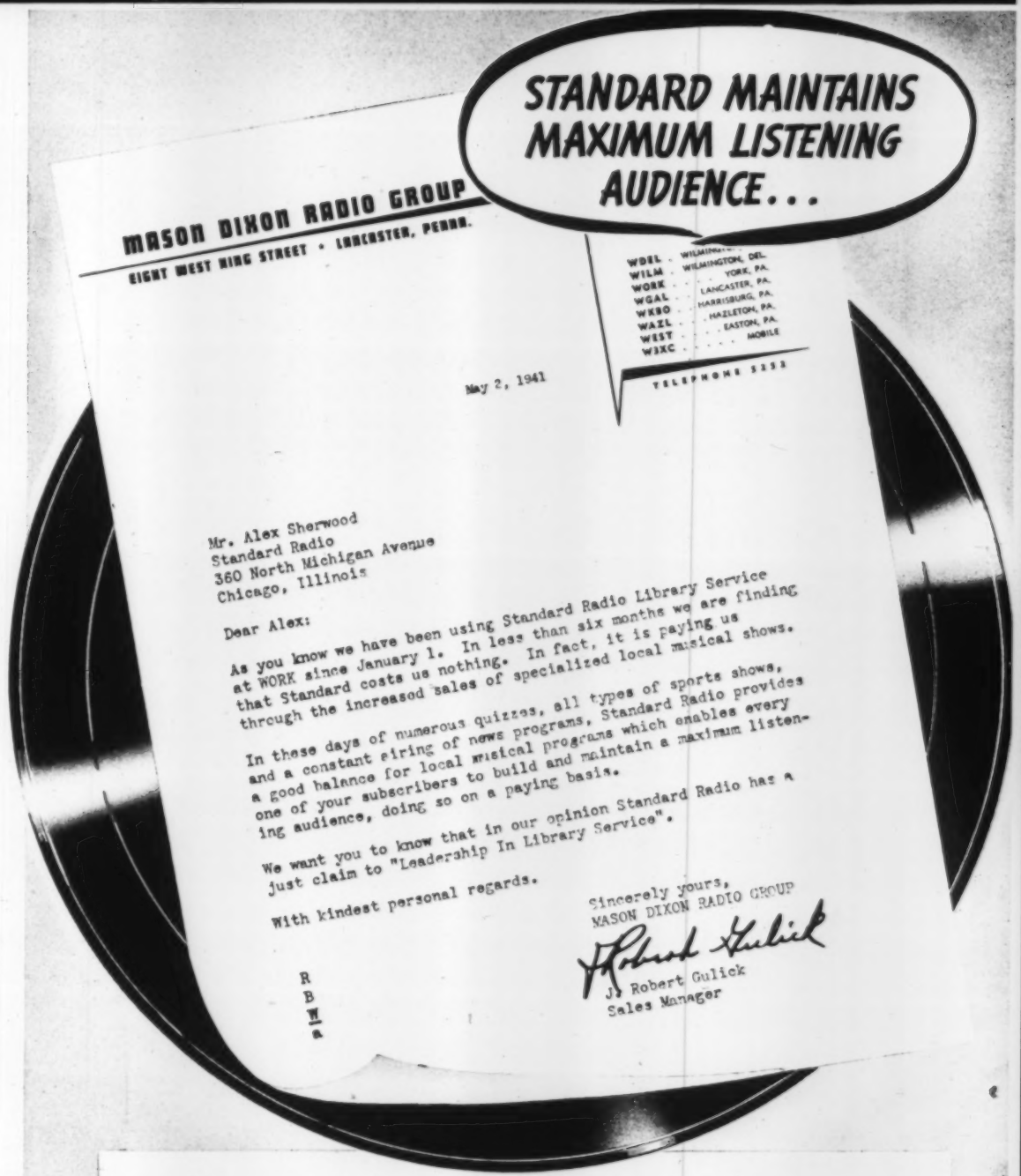
▼ ▼ ▼

Our new Publicity Service is getting a real workout from enthusiastic subscribers. They all like it, and are making excellent use of the publicity kit and twice-a-month new releases.

▲ ▲ ▲

If you've been adding up as you go along the answer at the bottom of this column should be: Write today for the full story of Standard Tailored Transcription Service, Standard Spot-Ads and Standard Super Sound Effects!

STANDARD MAINTAINS MAXIMUM LISTENING AUDIENCE...



MASON DIXON RADIO GROUP
EIGHT WEST KING STREET • LANCASTER, PENNA.

WDEL - WILMINGTON, DEL.
WILM - WILMINGTON, DEL.
WORK - YORK, PA.
WGAL - LANCASTER, PA.
WKBO - HARRISBURG, PA.
WAZL - HAZLETON, PA.
WEST - EASTON, PA.
WSXC - MOBILE

TELEPHONE 5233

May 2, 1941

Mr. Alex Sherwood
Standard Radio
360 North Michigan Avenue
Chicago, Illinois

Dear Alex:

As you know we have been using Standard Radio Library Service at WORK since January 1. In less than six months we are finding that Standard costs us nothing. In fact, it is paying us through the increased sales of specialized local musical shows.

In these days of numerous quizzes, all types of sports shows, and a constant firing of news programs, Standard Radio provides a good balance for local musical programs which enables every one of your subscribers to build and maintain a maximum listening audience, doing so on a paying basis.

We want you to know that in our opinion Standard Radio has a just claim to "Leadership In Library Service".

With kindest personal regards.

Sincerely yours,
MASON DIXON RADIO GROUP
J. Robert Gulick
Sales Manager

R
B
W
a

PROOF OF LEADERSHIP . . . IN OUR DAILY MAIL

"STANDARD costs us nothing" . . how often our subscribers say that! They mean that Standard musical programs SELL . . *to* the sponsor and *for* the sponsor . . and when revenue from sales of Standard programs more than balance the cost of the Standard Program Library Service . . well, there's no other way to look at it than "Standard costs us nothing" . . That's *salability*, and it's due to the fact that Standard offers the *music*, *talent* and *showmanship* that hold listener-interest. No wonder so many stations—the largest list of active subscribers—say "Yes" when asked:

"Are Your Transcriptions Up to Standard?"

Largest List of Active Subscribers!

Standard Radio

HOLLYWOOD CHICAGO

Published every Monday, 53rd issue (Year Book Number) published in February by BROADCASTING PUBLICATIONS, INC., 870 National Press Building, Washington, D. C. Entered as second class matter March 14, 1933 at the Post Office at Washington, D. C. under act of March 3, 1879.